

NOTICE: NOT FOR OFFICIAL PUBLICATION.
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL
AND MAY BE CITED ONLY AS AUTHORIZED BY RULE.

IN THE
ARIZONA COURT OF APPEALS
DIVISION ONE

STATE OF ARIZONA, *Appellee*,

v.

APRIL NICOLE TAYLOR, *Appellant*.

No. 1 CA-CR 17-0404
FILED 6-14-2018

Appeal from the Superior Court in Maricopa County
No. CR2016-000847-002
The Honorable Jacki Ireland, Judge *Pro Tempore*

AFFIRMED

COUNSEL

Arizona Attorney General's Office, Phoenix
By Joseph T. Maziarz
Counsel for Appellee

Maricopa County Legal Advocate's Office, Phoenix
By Andrew Charles Marcy
Counsel for Appellant

STATE v. TAYLOR
Decision of the Court

MEMORANDUM DECISION

Judge Kent E. Cattani delivered the decision of the Court, in which Presiding Judge Diane M. Johnsen and Judge Jennifer M. Perkins joined.

CATTANI, Judge:

¶1 April Nicole Taylor appeals her conviction of possession of narcotic drugs and the resulting imposition of probation. Taylor’s counsel filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297 (1969), certifying that, after a diligent search of the record, he found no arguable question of law that was not frivolous. Taylor was given the opportunity to file a supplemental brief, but did not do so. Counsel asks this court to search the record for reversible error. *See State v. Clark*, 196 Ariz. 530, 537, ¶ 30 (App. 1999). After reviewing the record, we affirm.

FACTS AND PROCEDURAL BACKGROUND

¶2 In mid-November 2016, Taylor was lawfully arrested on an unrelated matter. The officer driving Taylor to jail told her that carrying contraband into jail would be a separate offense. Taylor, who was handcuffed in the back seat of the patrol car, responded that she had two bags of heroin in her pants. A search of Taylor’s back pockets revealed two bags containing a black, tar-like substance, which later testing determined to be heroin.

¶3 The State charged Taylor with possession of narcotic drugs (heroin), and a jury found her guilty as charged. *See* Ariz. Rev. Stat. (“A.R.S.”) § 13-3408(A)(1). The superior court suspended sentence and placed her on two years’ probation. *See* A.R.S. §§ 13-901.01(A), -902(A)(3). Taylor timely appealed.

DISCUSSION

¶4 We have read and considered counsel’s brief and have reviewed the record for reversible error. *See Leon*, 104 Ariz. at 300. We find none.

¶5 Taylor was present and represented by counsel at all stages of the proceedings against her. The record reflects that the superior court

STATE v. TAYLOR
Decision of the Court

afforded Taylor all her constitutional and statutory rights, and that the proceedings were conducted in accordance with the Arizona Rules of Criminal Procedure. The court conducted appropriate pretrial hearings, and the evidence presented at trial was sufficient to support the jury's guilty verdict. The term of probation imposed falls within the range prescribed by law.

CONCLUSION

¶6 We affirm Taylor's conviction and the resulting imposition of probation. After the filing of this decision, defense counsel's obligations pertaining to Taylor's representation in this appeal will end after informing Taylor of the outcome of this appeal and her future options, unless counsel's review reveals an issue appropriate for submission to the Arizona Supreme Court by petition for review. *See State v. Shattuck*, 140 Ariz. 582, 584-85 (1984). On the court's own motion, Taylor shall have 30 days from the date of this decision to proceed, if she desires, with a *pro se* motion for reconsideration or petition for review.



AMY M. WOOD • Clerk of the Court
FILED: AA