

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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.

ANTENEH ARAYA, *Appellant*.

No. 1 CA-CR 17-0618
FILED 7-19-2018

Appeal from the Superior Court in Maricopa County
No. CR2015-116703-001
The Honorable John Christian Rea, Judge

AFFIRMED

COUNSEL

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

Maricopa County Public Defender's Office, Phoenix
By Jeffrey L. Force
Counsel for Appellant

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MEMORANDUM DECISION

Judge Jon W. Thompson delivered the decision of the Court, in which Presiding Judge Kenton D. Jones and Judge Michael J. Brown joined.

T H O M P S O N, Judge:

¶1 This is a consolidated appeal under *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297 (1969). Counsel for Anteneh Araya (defendant) has advised us that, after searching the entire record, he has been unable to discover any arguable questions of law and has filed briefs requesting this court to conduct an *Anders* review of the records. Defendant was given the opportunity to file a supplemental brief *in propria persona*, but did not do so.

¶2 Defendant and A.D. were in a relationship for approximately ten years and have two children together. In early April 2015, A.D. informed defendant that she was ending their relationship but was willing to let him stay in the home until he found another place to stay.

¶3 On April 10, 2015, defendant asked A.D. to come to their bedroom and look in the closet. A.D. complied, but saw nothing. When A.D. turned around, defendant was standing over her with a loaded gun pointed at her. Defendant removed his pants and demanded that A.D. perform several sexual acts on him. A.D. complied. Afterward, defendant spoke to A.D. about killing himself, grabbed a second gun, and left the residence. A.D. then reported the incident to the police. Defendant was detained by officers and taken to a mental health facility on April 10, 2015 due to a mental health crisis. Defendant was then transferred to and interviewed by the present case's investigating officer on April 13, 2015.

¶4 Defendant was charged with one count of aggravated assault, one count of kidnapping, and five counts of sexual assault. At trial, the jury found defendant guilty of the aggravated assault and kidnapping charges. The jury found defendant not guilty of the five sexual assault charges. Defendant was sentenced to six and a quarter years in prison for the aggravated assault charge, and three years of supervised probation for the kidnapping charge. Defendant was given a credit of 280 days for time served prior to his sentence.

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¶5 We have read and considered defendant's *Anders* brief, and we have searched the entire record for reversible error. *See Leon*, 104 Ariz. at 300. We find none. All of the proceedings were conducted in compliance with the Arizona Rules of Criminal Procedure, and the sentences imposed were within the statutory limits. Upon the filing of this decision, counsel shall inform defendant of the status of the appeal and his options. Pursuant to *State v. Shattuck*, 140 Ariz. 582, 584-85 (1984), defendant's counsel's obligations in this appeal are at an end. Defendant has thirty days from the date of this decision in which to proceed, if he so desires, with an *in propria persona* motion for reconsideration or petition for review.

¶6 We affirm the convictions and sentences.



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