

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

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STATE OF ARIZONA, *Respondent*,

*v.*

MARQUISE LAMAR JOHNSON, *Petitioner*.

No. 1 CA-CR 17-0664 PRPC  
FILED 2-20-2018

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Appeal from the Superior Court in Maricopa County  
No. CR2011-135563-003  
The Honorable Dawn M. Bergin, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Maricopa County Attorney's Office, Phoenix  
By Diane Meloche  
*Counsel for Respondent*

Marquise Lamar Johnson, Phoenix  
*Petitioner*

STATE v. JOHNSON  
Decision of the Court

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**MEMORANDUM DECISION**

Presiding Judge Jon W. Thompson, Judge Peter B. Swann, and Judge James P. Beene delivered the decision of the Court.

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**P E R C U R I A M:**

¶1 Petitioner Marquise Lamar Johnson seeks review of the superior court's order denying his petition for post-conviction relief, filed pursuant to Arizona Rule of Criminal Procedure 32.1. This is the petitioner's second petition.

¶2 Absent an abuse of discretion or error of law, this court will not disturb a superior court's ruling on a petition for post-conviction relief. *State v. Gutierrez*, 229 Ariz. 573, 576-77, ¶ 19 (2012). It is the petitioner's burden to show that the superior court abused its discretion in denying the petition. *See State v. Poblete*, 227 Ariz. 537, 538, ¶ 1 (App. 2011).

¶3 We have reviewed the record in this matter, the superior court's order denying the petition for post-conviction relief, and the petition for review. We find that petitioner has not shown any abuse of discretion.

¶4 Accordingly, we grant review and deny relief.



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