ARIZONA COURT OF APPEALS DIVISION ONE

STATE OF ARIZONA, Appellee,

v.

TERRANCE LEE KING, Appellant.

No. 1 CA-CR 20-0311 FILED 6-8-2021

Appeal from the Superior Court in Maricopa County No. CR2018-127326-001 The Honorable Geoffrey H. Fish, Judge

AFFIRMED COUNSEL

Arizona Attorney General's Office, Phoenix By Linley Wilson Counsel for Appellee

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

MEMORANDUM DECISION

Judge Cynthia J. Bailey delivered the decision of the Court, in which Presiding Judge Paul J. McMurdie and Judge Lawrence F. Winthrop joined.

STATE v. KING Decision of the Court

BAILEY, Judge:

¶1 This is an appeal under *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297 (1969). Counsel for defendant Terrance Lee King filed a brief advising the court that, after searching the entire record, he is unable to discover any arguable questions of law and requesting that this court conduct an *Anders* review of the record. King was given the opportunity to file a supplemental brief pro se, but he has not done so. For the reasons that follow, we affirm King's convictions and resulting sentences.

FACTS AND PROCEDURAL HISTORY

- In June 2018, Phoenix Police Officer Jonathan Scott observed King's Lexus fail to stop at a stop sign, and requested a marked vehicle conduct a traffic stop. Two patrol officers located the Lexus and activated their vehicle's lights and sirens. The Lexus appeared as though it was going to stop, but made a U-turn, and sped away from the officers. While being pursued by police vehicles and an air support unit, the Lexus collided headon with M.K.'s ¹ vehicle.
- ¶3 King was injured in the collision and treated at a nearby hospital. M.K. suffered extensive injuries including multiple vertebrae fractures, eight broken ribs and a cut that ran from his forehead to his scalp.
- The State indicted King on charges of aggravated assault with a motor vehicle, unlawful flight from a law enforcement vehicle, misconduct involving weapons and endangerment. The State alleged the aggravated assault and endangerment counts were dangerous offenses. The court severed the misconduct involving weapons charge and King's trial on the remaining counts lasted 5 days. At the close of the State's case, King moved for acquittal pursuant to Arizona Rule of Criminal Procedure 20. The court denied the motion.
- ¶5 After the jury found King guilty on all counts, the court granted the State's motion to dismiss the misconduct involving weapons charge.
- ¶6 After considering the jury's aggravation findings and King's prior criminal history, the court sentenced him on all three counts, the

¹ Initials are used to protect the victims' privacy. *State v. Maldonado*, 206 Ariz. 339, 341, \P 2 n.1 (App. 2003).

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longest term of which is 13 years. King was given 332 days of presentence incarceration credit.

¶7 King was permitted to file a delayed notice of appeal, and timely did so. We have jurisdiction over King's appeal pursuant to Article 6, Section 9, of the Arizona Constitution, and A.R.S. §§ 12-120.21, 13-4031, and -4033.

DISCUSSION

¶8 The court has reviewed and considered counsel's brief. The court has searched the entire record for reversible error. *See State v. Clark*, 196 Ariz. 530, 537, ¶ 30 (App. 1990) (providing guidelines for briefs when counsel has determined no arguable issues to appeal). Searching the record and reviewing the briefs reveals no reversible error. The record shows King was represented by counsel at all stages of the proceedings and counsel was present at all critical stages. All proceedings were conducted in compliance with the Arizona Rules of Criminal Procedure. The sentence imposed was within the statutory limit.

CONCLUSION

- ¶9 For the reasons stated herein, we affirm King's convictions and resulting sentences.
- ¶10 Upon the filing of this decision, defense counsel is directed to inform King of the status of his appeal and of his future options. Defense counsel has no further obligations unless, upon review, counsel finds an issue appropriate for submission to the Arizona Supreme Court by petition for review. *See State v. Shattuck*, 140 Ariz. 582, 584-85 (1984). King shall have 30 days from the date of this decision to proceed, if he desires, with a pro se motion for reconsideration or petition for review.



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