

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

v.

FRANK SILVA ROQUE, *Petitioner*.

No. 1 CA-CR 20-0613 PRPC
FILED 6-15-2021

Petition for Review from the Superior Court in Maricopa County
No. CR2001-095385
The Honorable Katherine M. Cooper, Judge

REVIEW GRANTED; RELIEF DENIED

APPEARANCES

Maricopa County Attorney's Office, Phoenix
By Amanda M. Parker
Counsel for Respondent

Frank Silva Roque, Buckeye
Petitioner

STATE v. ROQUE
Decision of the Court

MEMORANDUM DECISION

Presiding Judge D. Steven Williams, Judge Jennifer B. Campbell, and Judge James B. Morse Jr. delivered the decision of the Court.

PER CURIUM:

¶1 Petitioner Frank Silva Roque seeks review of the superior court's order denying his petition for post-conviction relief. This is petitioner's latest successive 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, 577, ¶ 19, 278 P.3d 1276, 1280 (2012). It is petitioner's burden to show that the superior court abused its discretion by denying the petition for post-conviction relief. *See State v. Poblete*, 227 Ariz. 537, ¶ 1, 260 P.3d 1102, 1103 (App. 2011) (petitioner has burden of establishing abuse of discretion on review).

¶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. The petitioner has failed to show an abuse of discretion.

¶4 For the foregoing reasons, this court grants review but denies relief.



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