

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

TONY MICHAEL ANDERSON, *Petitioner*.

No. 1 CA-CR 21-0129 PRPC
FILED 8-24-2021

Petition for Review from the Superior Court in Mohave County
No. S8015CR201400357
The Honorable Richard D. Lambert, Judge

REVIEW GRANTED; RELIEF DENIED

COUNSEL

Mohave County Attorney's Office, Kingman
By Amanda Claerhout
Counsel for Respondent

Law Offices of Harriette P. Levitt, Tucson
By Harriette P. Levitt
Counsel for Petitioner

STATE v. ANDERSON
Decision of the Court

MEMORANDUM DECISION

Presiding Judge Jennifer B. Campbell, Judge Samuel A. Thumma, and Chief Judge Kent E. Cattani delivered the decision of the Court.

PER CURIAM:

¶1 Petitioner Tony Michael Anderson seeks review of the superior court's order denying his first petition for post-conviction relief.

¶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 (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, 538, ¶ 1 (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 and response. We find that petitioner has not established an abuse of discretion.

¶4 We grant review but deny relief.



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