

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

MICHAEL DEAN ROSS, *Petitioner*.

No. 1 CA-CR 21-0270 PRPC
FILED 11-16-2021

Appeal from the Superior Court in Maricopa County
No. CR2012-008684-001
The Honorable Pamela D. Svoboda, Judge

REVIEW GRANTED; RELIEF DENIED

COUNSEL

Michael Dean Ross, Florence
Petitioner

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

MEMORANDUM DECISION

Presiding Judge Samuel A. Thumma, Chief Judge Kent E. Cattani and Judge
Paul J. McMurdie delivered the decision of the Court.

STATE v. ROSS
Decision of the Court

PER CURIAM:

¶1 Petitioner Michael Dean Ross 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 Ross' first 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 (2012). It is the 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. We find the petitioner has not established an abuse of discretion.

¶4 We grant review but deny relief.



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