

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

MEL ANTHONY THOMAS, *Petitioner*.

NO. 1 CA-CR 21-0324 PRPC  
FILED 12-9-2021

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Petition for Review from the Superior Court in Maricopa County  
No. CR2008-117918-001  
The Honorable Jo Lynn Gentry, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

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

Mel Anthony Thomas, Tucson  
*Petitioner*

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**MEMORANDUM DECISION**

Presiding Judge Peter B. Swann, Judge David D. Weinzweig, and Judge Paul J. McMurdie delivered the decision of the Court.

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STATE v. THOMAS  
Decision of the Court

PER CURIAM:

¶1 Petitioner Mel Anthony Thomas seeks review of the superior court's order denying his petition for post-conviction relief. This is petitioner's fourth 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. We find that petitioner has not established an abuse of discretion.

¶4 We grant review and deny relief.



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