

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

NEIL HAVENS RODREICK, II, *Petitioner*.

NO. 1 CA-CR 21-0406 PRPC  
FILED 12-9-2021

---

Petition for Review from the Superior Court in Yavapai County  
No. P1300CR20070142  
The Honorable Debra R. Phelan, Judge *Pro Tempore*

**REVIEW GRANTED; RELIEF DENIED**

---

COUNSEL

Yavapai County Attorney's Office, Prescott  
By Steven A. Young  
*Counsel for Respondent*

Neil Havens Rodreick, II, Florence  
*Petitioner*

---

**MEMORANDUM DECISION**

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

---

STATE v. RODREICK  
Decision of the Court

PER CURIAM:

¶1 Petitioner Neil Havens Rodreick, II seeks review of the superior court's order denying his petition for post-conviction relief. This is petitioner's second petition.<sup>1</sup>

¶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

---

<sup>1</sup> Petitioner filed an untimely Motion for Extension of Time to File Reply to State's Response. After consideration, this motion is denied.