

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

TYSON TERRELL MCDANIEL, *Petitioner*.

No. 1 CA-CR 21-0581 PRPC  
FILED 10-25-2022

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Petition for Review from the Superior Court in Maricopa County  
No. CR1994-000671  
The Honorable Roy C. Whitehead, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Maricopa County Attorney's Office, Phoenix  
By Krista Wood  
*Counsel for Respondent*

Tyson Terrell McDaniel, Tucson  
*Petitioner*

STATE v. MCDANIEL  
Decision of the Court

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**MEMORANDUM DECISION**

Presiding Judge Samuel A. Thumma, Judge Cynthia J. Bailey, and Vice Chief Judge David B. Gass delivered the following decision.

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**PER CURIAM:**

¶1 Petitioner Tyson Terrell McDaniel 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 McDaniel's sixth petition.

¶2 Absent an abuse of discretion or legal error, this court will not disturb a superior court's ruling on a petition for post-conviction relief. *See State v. Gutierrez*, 229 Ariz. 573, 577 ¶ 19 (2012). Petitioner has the burden to show that the superior court erred in denying the petition for post-conviction relief. *See State v. Poblete*, 227 Ariz. 537, 538 ¶ 1 (App. 2011).

¶3 This court has reviewed the record in this matter, the order denying the petition for post-conviction relief and the petition for review. This court finds the petitioner has not established error.

¶4 This court grants review but denies relief.



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