

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

No. 1 CA-CR 22-0102 PRPC  
FILED 10-06-2022

---

Petition for Review from the Superior Court in Navajo County

No. CR-2005-0569

The Honorable Michael D. Latham, Judge

**REVIEW GRANTED; RELIEF DENIED**

---

COUNSEL

Navajo County Attorney's Office, Holbrook  
By Bradley W. Carlyon  
*Counsel for Respondent*

Michael Ray Fuqua, Buckeye  
*Petitioner*

---

**MEMORANDUM DECISION**

Presiding Judge Jennifer M. Perkins, Judge James B. Morse Jr., and Judge  
Michael J. Brown delivered the decision of the Court.

---

STATE v. FUQUA  
Decision of the Court

PER CURIAM:

¶1 Petitioner Michael Ray Fuqua seeks review of the superior court's order denying his petition for post-conviction relief. This is petitioner's second 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.

