

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

JASON FRANCIS PACYNA, *Petitioner*.

No. 1 CA-CR 22-0166 PRPC
FILED 10-25-2022

Petition for Review from the Superior Court in Maricopa County
No. CR2018-152602-001
The Honorable Katherine Cooper, Judge

REVIEW GRANTED; RELIEF DENIED

COUNSEL

Maricopa County Attorney's Office, Phoenix
By Daniel Strange
Counsel for Respondent

Jason Francis Pacyna, Yuma
Petitioner

STATE v. PACYNA
Decision of the Court

MEMORANDUM DECISION

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

PER CURIAM:

¶1 Petitioner Jason Francis Pacyna 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 Pacyna's first 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