

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

DARRELL BRYANT KETCHNER, *Petitioner*.

No. 1 CA-CR 22-0175 PRPC  
FILED 11-22-2022

---

Petition for Review from the Superior Court in Mohave County  
No. CR2009-00715  
The Honorable Rick A. Williams, Judge

**REVIEW GRANTED; RELIEF DENIED**

---

COUNSEL

Mohave County Attorney's Office, Kingman  
By Matthew J. Smith  
*Counsel for Respondent*

Aspey Watkins & Diesel PLLC, Flagstaff  
By Kathryn G. Mahady  
*Counsel for Petitioner*

STATE v. KETCHNER  
Decision of the Court

---

**MEMORANDUM DECISION**

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

---

**PER CURIAM:**

¶1 Petitioner Darrell Bryant Ketchner seeks review of the superior court's order dismissing his petition for post-conviction relief, filed pursuant to Arizona Rule of Criminal Procedure 32.1. This is petitioner's first 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 (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, 538, ¶ 1 (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, petition for review with appendix, response, and reply. Petitioner has not established an abuse of discretion.

¶4 For the foregoing reasons, we grant review but deny relief.



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