

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

THOMAS FORREST BOLTON, *Petitioner*.

No. 1 CA-CR 22-0560 PRPC
FILED 5-16-2023

Petition for Review from the Superior Court in Yavapai County
No. P1300CR201300942
The Honorable Debra R. Phelan, Judge *Pro Tempore*

REVIEW GRANTED; RELIEF DENIED

APPEARANCES

Yavapai County Attorney's Office, Prescott
By George D. Rodriguez
Counsel for Respondent

Thomas Forrest Bolton, Kingman
Petitioner

MEMORANDUM DECISION

Vice Chief Judge David B. Gass, Judge Brian Y. Furuya, and Judge Andrew M. Jacobs delivered the decision of the court.

STATE v. BOLTON
Decision of the Court

PER CURIAM:

¶1 Petitioner Thomas Forrest Bolton 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, the petition for review, the response, and the reply. 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