IN THE
ARIZONA COURT OF APPEALS
DIVISION ONE

STATE OF ARIZONA, *Respondent*,

v.

TICHINA SHEPHARD, *Petitioner*.

No. 1 CA-CR 23-0151 PRPC
FILED 11-30-2023

Petition for Review from the Superior Court in Maricopa County
No. CR2017-005699-002
The Honorable Danielle. J. Viola, Judge

REVIEW GRANTED; RELIEF DENIED

COUNSEL

Maricopa County Attorney's Office, Phoenix
By Douglas Gerlach
Counsel for Respondent

Brown and Little, PLC, Chandler
By Matthew O. Brown
Counsel for Petitioner

MEMORANDUM DECISION

Presiding Judge Michael J. Brown, Judge Andrew M. Jacobs, and Judge Angela K. Paton delivered the decision of the Court.

PER CURIAM:

¶1 Petitioner Tichina Shephard seeks review of the superior court's order denying her petition for post-conviction relief. This is her 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, 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, 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, and the state's response. 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