

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED  
EXCEPT AS AUTHORIZED BY APPLICABLE RULES.  
See Ariz. R. Supreme Court 111(c); ARCAP 28(c);  
Ariz. R. Crim. P. 31.24

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE



DIVISION ONE  
FILED: 07-22-2010  
PHILIP G. URRY, CLERK  
BY: GH

STATE OF ARIZONA, ) 1 CA-CR 09-0742  
)  
Appellee, ) DEPARTMENT B  
)  
v. ) **MEMORANDUM DECISION**  
) (Not for Publication -  
) Rule 111, Rules of the  
STACY LEE RUPP, ) Arizona Supreme Court)  
)  
Appellant. )  
)

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Appeal from the Superior Court in Maricopa County

Cause No. CR2007-110693-001 DT

The Honorable Margaret R. Mahoney, Judge

**AFFIRMED**

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Terry Goddard, Attorney General Phoenix  
by Kent E. Cattani, Chief Counsel,  
Criminal Appeals/Capital Litigation Section  
Attorneys for Appellee

James J. Haas, Maricopa County Public Defender Phoenix  
by Louise Stark, Deputy Public Defender  
Attorneys for Appellant

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P O R T L E Y, Judge

¶1 This is an appeal under *Anders v. California*, 386 U.S.

738 (1967) and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878

(1969). Counsel for Stacy Lee Rupp ("Defendant") has advised us that after searching the entire record, she has been unable to discover any arguable questions of law and has filed a brief requesting us to conduct an *Anders* review of the record. Defendant was given an opportunity to file a supplemental brief and has not filed one.

### **FACTS<sup>1</sup>**

¶2 In February 2007, police received a complaint that a woman was trafficking drugs from her house. Officers observed Defendant leaving the house and followed her to a parking lot where they watched a man lean into Defendant's passenger window for about a minute before she drove away. The police continued to follow her before stopping her for speeding. Officers searched her car and discovered rolling papers, a scale, and plastic bags containing methamphetamine and marijuana.

¶3 Defendant was charged with sale or transportation of dangerous drugs, a class two felony; possession or use of marijuana, a class six felony; and possession of drug paraphernalia, a class six felony. Defendant testified at trial and admitted a prior felony conviction.

¶4 The jury found Defendant guilty of the lesser-included offense of possession of dangerous drugs, a class four felony,

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<sup>1</sup> We review the facts in the light most favorable to sustaining the verdict. See *State v. Guerra*, 161 Ariz. 289, 293, 778 P.2d 1185, 1189 (1989).

but not sale or transportation of dangerous drugs. She was also found guilty of possession of marijuana and drug paraphernalia.

¶15 During the sentencing hearing, the State proved that she had two historical felonies. As a result, Defendant was sentenced to six years in prison for possession of dangerous drugs, and placed on supervised probation for two years for possession of marijuana and possession of drug paraphernalia. Defendant was awarded seventy-nine days of presentence incarceration credit.

¶16 We have jurisdiction over this appeal pursuant to Article 6, Section 9, of the Arizona Constitution, and Arizona Revised Statutes ("A.R.S.") sections 12-120.21(A)(1) (2003), 13-4031, and -4033(A)(1) (2010).

#### **DISCUSSION**

¶17 We have read and considered counsel's brief, and have searched the entire record for reversible error. *See Leon*, 104 Ariz. at 300, 451 P.2d at 881.

¶18 Having searched the entire record for reversible error, we find none. All of the proceedings were conducted in compliance with the Arizona Rules of Criminal Procedure. The record, as presented, reveals that Defendant was represented by counsel at all stages of the proceedings, and the sentences imposed were within the statutory limits.

**CONCLUSION**

¶9 After this decision has been filed, counsel's obligation to represent Defendant in this appeal has ended. Counsel need do no more than inform Defendant of the status of the appeal and Defendant's future options, unless counsel's review reveals an issue appropriate for submission to the Arizona Supreme Court by petition for review. See *State v. Shattuck*, 140 Ariz. 582, 585, 684 P.2d 154, 157 (1984). Defendant can, if she desires, file a motion for reconsideration or petition for review pursuant to the Arizona Rules of Criminal Procedure.

¶10 Accordingly, we affirm Defendant's convictions and sentences.

/s/

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MAURICE PORTLEY, Judge

CONCURRING:

/s/

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JOHN G. GEMMILL, Presiding Judge

/s/

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PATRICIA K. NORRIS, Judge