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 ON ONE DIVISI DIVISION ONE FILED:06/07/2011 RUTH A. WILLINGHAM, CLERK BY:DLL 1 CA-CR 09-0930) STATE OF ARIZONA,)) DEPARTMENT A Appellee,)) MEMORANDUM DECISION) (Not for Publication v. Rule 111, Rules of the) Arizona Supreme Court)) JARED RYAN CHIEF,) Appellant.))

Appeal from the Superior Court of Maricopa County

Cause No. CR2008-005934-001 DT

The Honorable Lisa Ann Vandenberg, Commissioner

AFFIRMED

Thomas C. Horne, Attorney General Phoenix By Kent E. Cattani, Chief Counsel, Criminal Appeals and Capital Litigation Section Attorneys for Appellee

James J. Haas, Maricopa County Public Defender Phoenix By Edith M. Lucero, Deputy Public Defender Attorney for Appellant

THOMPSON, Judge

This case comes to us as 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 Jared Ryan Chief (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 that this court conduct an *Anders* review of the record. Defendant has been afforded an opportunity to file a supplemental brief *in propria persona*, and he has not done so. For the following reasons, we affirm.

[2 In September 2007, Phoenix City Police spotted defendant's vehicle blocking the westbound traffic lane on Roosevelt Street at the intersection of 35th Avenue. The police watched defendant enter the vehicle and sit in the driver's seat with the vehicle's engine running. Defendant showed several signs of intoxication and admitted he had been drinking. The police transported defendant to the Maryvale police station for a blood draw. Defendant's blood draw revealed an alcohol concentration level of .255.

¶3 Defendant was charged with two counts of aggravated driving or actual physical control while under the influence of intoxicating liquor or drugs, a class 4 felony. A jury convicted defendant of both counts. The trial court sentenced defendant to four months in prison for each count, to be served concurrently, followed by three years of probation. The court gave defendant credit for thirty-two days of

2

presentence incarceration.

We have read and considered counsel's brief and have ¶4 searched the entire record for reversible error. See Leon, 104 Ariz. at 300, 451 P.2d at 881. Defendant asked counsel to raise five issues on direct appeal: 1) that the police did not make themselves known to him, 2) that the key was no in the ignition, but rather, in the glove box, 3) that the driver's door was open with his foot sticking out, 4) that he did not intend to drive, and 5) that he feels innocent. We find no reversible error pertaining to these claims or otherwise. All of the proceedings were conducted in compliance with the Arizona Rules of Criminal Procedure. So far as the record reveals, defendant was adequately represented by counsel at all stages of the proceedings, and the sentence imposed was within the statutory limits. Pursuant to State v. Shattuck, 140 Ariz. 582, 584-85, 684 P.2d 154, 156-57 (1984), defendant's counsel's obligations in this appeal are at an end. Defendant has thirty days from the date of this decision in which to proceed, if he desires, with a pro se motion for reconsideration or petition for review.

3

/s/

JON W. THOMPSON, Judge

CONCURRING:

/s/

PHILIP HALL, Presiding Judge

/s/

LAWRENCE F. WINTHROP, Judge