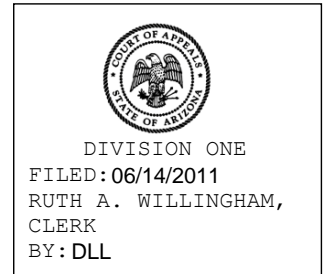


NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED
EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c);
Ariz. R. Crim. P. 31.24

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

STATE OF ARIZONA,)
) 1 CA-CR 10-0334
)
) DEPARTMENT A
Appellee,)
) **MEMORANDUM DECISION**
)
v.) (Not for Publication -
) Rule 111, Rules of the
) Arizona Supreme Court)
GEORGE N. GARCIA,)
)
)
Appellant.)
_____)



Appeal from the Superior Court of Maricopa County

Cause No. CR2009-154563-001 DT

The Honorable Susan M. Brnovich, Judge

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 Joel M. Glynn, Deputy Public Defender
Attorneys for Appellant

T H O M P S O N, Judge

¶1 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 George N. Garcia (defendant) has advised us that, after searching the entire record, he 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.

¶2 Our obligation is to review the entire record for reversible error. *State v. Clark*, 196 Ariz. 530, 537, ¶ 30, 2 P.3d 89, 96 (App. 1999). We review the facts in the light most favorable to sustaining the conviction and resolve all reasonable inferences against defendant. *State v. Guerra*, 161 Ariz. 289, 293, 778 P.2d 1185, 1189 (1989). Finding no reversible error, we affirm.

¶3 In August 2009, defendant and three accomplices unlawfully entered M.T.'s residence and began taking M.T.'s personal property. When M.T. tried to stop them, defendant and another accomplice began beating M.T. with an aluminum baseball bat. After taking M.T.'s personal property, defendant and accomplices left M.T.'s residence and ran to a neighboring apartment. Having reported to the scene and taken M.T.'s statement, police knocked on the door of the neighboring apartment, and upon seeing M.T.'s property, apprehended defendant and two accomplices. Police escorted M.T. to the

neighboring apartment, where M.T. identified his stolen property and his attackers. When asked for his name and date of birth, defendant gave police his brother's name and date of birth.

¶4 Defendant was charged with one count of armed robbery, a class 2 dangerous felony, one count of aggravated assault, a class 3 dangerous felony, one count of burglary in the first degree, a class 2 dangerous felony, and one count of false reporting to law enforcement agency, a class 1 dangerous misdemeanor. A jury convicted defendant of all counts. The trial court sentenced defendant to mitigated sentences of fourteen years in prison for count one, ten years in prison for count two, and fourteen years in prison for count three, with all sentences to be served concurrently. Defendant received 245 days of presentence incarceration credit.

¶5 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. 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 so desires, with an *in propria persona* motion for reconsideration or petition for review.

¶6 We affirm the convictions and sentences.

/s/

JON W. THOMPSON, Judge

CONCURRING:

/s/

DIANE M. JOHNSEN, Presiding Judge

/s/

MARGARET H. DOWNIE, Judge