

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

FILED BY CLERK

OCT 29 2012

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	2 CA-CR 2012-0163
)	DEPARTMENT B
Appellee,)	
)	<u>MEMORANDUM DECISION</u>
v.)	Not for Publication
)	Rule 111, Rules of
ALBERT LEAL,)	the Supreme Court
)	
Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR20110237001

Honorable Javier Chon-Lopez, Judge

AFFIRMED

Lori J. Lefferts, Pima County Public Defender
By Rebecca A. McLean

Tucson
Attorneys for Appellant

V Á S Q U E Z, Presiding Judge.

¶1 After a jury trial, appellant Albert Leal was convicted of unlawful flight from a pursuing law enforcement vehicle and placed on a two-year period of probation. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), avowing she has reviewed the record and found no arguably meritorious issue to raise on appeal. In compliance with *State v. Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d 89, 97 (App. 1999), counsel has also provided “a detailed factual and procedural history of the case with citations to the record, [so] this court can satisfy itself that counsel has in fact thoroughly reviewed the record.” Pursuant to our obligation under *Anders*, we have reviewed the record in its entirety and are satisfied it supports counsel’s recitation of the facts. Leal has not filed a supplemental brief.

¶2 Viewed in the light most favorable to upholding the jury’s verdict, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established that a University of Arizona Police Department (UAPD) corporal was in a marked police vehicle when she attempted to stop Leal’s vehicle for traffic violations. Leal stopped briefly, but then “took off,” eventually reaching a speed of about seventy miles per hour. Another UAPD officer who had been at the attempted traffic stop identified Leal as the driver of the vehicle.

¶3 We conclude substantial evidence supported findings of all the elements necessary for Leal’s conviction, *see* A.R.S. § 28-622.01, and the term of probation imposed was authorized by statute, *see* A.R.S. § 13-902(A)(4). In our examination of the record pursuant to *Anders*, we have found no reversible error and no arguable issue

warranting further appellate review. *See Anders*, 386 U.S. at 744. Accordingly, we affirm Leal’s conviction and disposition.

/s/ Garye L. Vásquez
GARYE L. VÁSQUEZ, Presiding Judge

CONCURRING:

/s/ Philip G. Espinosa
PHILIP G. ESPINOSA, Judge

/s/ Virginia C. Kelly
VIRGINIA C. KELLY, Judge