

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

MAY 30 2013

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	2 CA-CR 2012-0456
)	DEPARTMENT B
Appellee,)	
)	<u>MEMORANDUM DECISION</u>
v.)	Not for Publication
)	Rule 111, Rules of
WILLIAM SCHAEFFLER,)	the Supreme Court
)	
Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR20120882002

Honorable Michael O. Miller, Judge

AFFIRMED

Emily Danies

Tucson
Attorney for Appellant

K E L L Y, Judge.

¶1 Appellant William Schaeffler was convicted after a jury trial of second-degree burglary and criminal damage. The trial court suspended the imposition of sentence, placed him on concurrent terms of probation for a period of three years, and ordered him to pay restitution in the amount of \$1,361.60.

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), avowing she has reviewed the record and found “[n]o arguable question of law” to raise on appeal. She asks us to search the record for fundamental error. In compliance with *State v. Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d 89, 97 (App. 1999), counsel has 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 we conclude it supports counsel’s recitation of the facts. Schaeffler has not filed a supplemental brief.

¶3 Viewed in the light most favorable to upholding the jury’s verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established that in February 2012, the victim returned home to find a large hole in the wall near the front door of her home. Schaeffler acknowledged to police that he and a friend had entered the home without the owner’s permission and damaged it. Inside, the victim discovered extensive vandalism, including a broken light fixture, mirror and television, smashed drywall with holes kicked in, and broken eggs strewn throughout the house. The victim testified the repairs to her home cost \$8,000 and that the missing and damaged items were worth \$1,800. We conclude substantial evidence supported findings of the elements necessary for Schaeffler’s convictions, *see* A.R.S. §§ 13-1507, 13-1602(A), (B)(3), and the probation imposed is an authorized disposition, *see* A.R.S. § 13-902(A)(2), (4).

¶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. Therefore, we affirm Schaeffler’s convictions and disposition.

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

CONCURRING:

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

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