

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

GILBERT GONZALES OLIVAS,
Appellant.

No. 2 CA-CR 2014-0364
Filed March 2, 2015

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.24.

Appeal from the Superior Court in Pima County
No. CR20102517002
The Honorable Christopher Browning, Judge

AFFIRMED

COUNSEL

Lori J. Lefferts, Pima County Public Defender
By David J. Euchner, Assistant Public Defender, Tucson
Counsel for Appellant

MEMORANDUM DECISION

Presiding Judge Kelly authored the decision of the Court, in which
Judge Howard and Vásquez Judge concurred.

STATE v. OLIVAS
Decision of the Court

K E L L Y, Presiding Judge:

¶1 Gilbert Olivas appeals from the sentence imposed for his conviction of aggravated robbery. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), asserting he has reviewed the record but found no arguable issue to raise on appeal. Consistent with *Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d at 97, he has provided “a detailed factual and procedural history of the case with citations to the record” and asks this court to search the record for error. Olivas has not filed a supplemental brief.

¶2 After a jury trial, Olivas was convicted of two counts of aggravated assault with a deadly weapon or dangerous instrument, theft of a means of transportation, armed robbery, and aggravated robbery. The trial court sentenced him to a combination of concurrent and consecutive prison terms totaling forty-three years. Olivas appealed, waiving his right to appellate counsel and choosing to represent himself. His appeal was dismissed, however, after he failed to timely file his opening brief despite having been granted several extensions of time in which to do so.

¶3 Pursuant to Olivas’s petition for post-conviction relief, the trial court ordered that Olivas be resentenced for his conviction of aggravated robbery. At resentencing, the court imposed a presumptive, 11.25-year prison term. That sentence is within the statutory limit and was imposed properly. A.R.S. §§ 13-703(C), (J), 13-1903(B).

¶4 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and found none. See *State v. Fuller*, 143 Ariz. 571, 575, 694 P.2d 1185, 1189 (1985) (*Anders* requires court to search record for fundamental error). Accordingly, we affirm the sentence imposed for Olivas’s conviction of aggravated robbery.