

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION TWO

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THE STATE OF ARIZONA,  
*Appellee,*

*v.*

AURELIO RODDY FELIX,  
*Appellant.*

No. 2 CA-CR 2014-0430  
Filed September 18, 2015

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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NOT FOR PUBLICATION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.*

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Appeal from the Superior Court in Pima County  
No. CR20142017001  
The Honorable Carmine Cornelio, Judge

**AFFIRMED**

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COUNSEL

Steven Sonenberg, Pima County Public Defender  
By Abigail Jensen, Assistant Public Defender, Tucson  
*Counsel for Appellant*

STATE v. FELIX  
Decision of the Court

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**MEMORANDUM DECISION**

Judge Howard authored the decision of the Court, in which Presiding Judge Vásquez and Judge Kelly<sup>1</sup> concurred.

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H O W A R D, Judge:

¶1 Following a jury trial, appellant Aurelio Felix was convicted of sale of a narcotic drug, heroin, above the statutory threshold amount. The trial court sentenced him to an enhanced, “slightly mitigated,” twelve-year term of imprisonment. 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), stating she has reviewed the record and has found no “arguably meritorious issue to raise on appeal.” Counsel has asked us to search the record for fundamental error. Felix has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the verdict, the evidence was sufficient to support the jury’s finding of guilt. See *State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999). The evidence presented at trial showed Felix gave a confidential informant in a car with an undercover police officer an “eight ball,” or approximately 3.5 grams, of heroin in exchange for \$140. We further conclude the sentence imposed is within the statutory limit. See A.R.S. §§ 13-703(C), (J); 13-3401(36)(a); 13-3408(A)(2), (B)(2).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have found none. Therefore, we affirm Felix’s conviction and sentence.

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<sup>1</sup>The Hon. Virginia C. Kelly, a retired judge of this court, is called back to active duty to serve on this case pursuant to orders of this court and our supreme court.