

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

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THE STATE OF ARIZONA,  
*Respondent,*

*v.*

SHAINED CARL CAGLE,  
*Petitioner.*

No. 2 CA-CR 2015-0120-PR  
Filed December 1, 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NOT FOR PUBLICATION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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Petition for Review from the Superior Court in Pima County

No. CR20140495001

The Honorable Howard Fell, Judge Pro Tempore

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Barbara LaWall, Pima County Attorney  
By Jacob R. Lines, Deputy County Attorney, Tucson  
*Counsel for Respondent*

Shaine Cagle, Florence  
*In Propria Persona*

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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 Shaine Cagle seeks review of the trial court's order denying his petition for post-conviction relief filed pursuant to Rule 32, Ariz. R. Crim. P. We will not disturb that order unless the court clearly abused its discretion. *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). Cagle has not met his burden of demonstrating such abuse here.

¶2 Cagle pled guilty to armed robbery and was sentenced to a five-year prison term. Before sentencing, the trial court denied his motion for new counsel and to withdraw from the plea. Cagle sought post-conviction relief and appointed counsel filed a notice stating she had reviewed the record but had found no viable claims to raise in a Rule 32 proceeding. Cagle then filed a pro se petition listing eighteen claims, including that the court had erred in denying his request to withdraw from his plea, his trial counsel was ineffective, there was newly discovered evidence, and he was actually innocent, as well as a variety of claims regarding his arrest and the grand jury proceedings. The trial court summarily denied relief, and this petition for review followed.

¶3 In his petition for review, Cagle again lists numerous issues. However, he presents no meaningful argument and, for many of his claims, instead seeks to incorporate by reference his petition for post-conviction relief. That procedure is not permitted by our rules. See *State v. Bortz*, 169 Ariz. 575, 577, 821 P.2d 236, 238

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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.

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(App. 1991). Nor do we address claims unsupported by relevant authority and meaningful argument. *State v. Stefanovich*, 232 Ariz. 154, ¶ 16, 302 P.3d 679, 683 (App. 2013).

¶4 In any event, we have reviewed Cagle’s petition below, the record, and the trial court’s ruling and conclude the court correctly rejected Cagle’s claims in a thorough and well-reasoned minute entry, which we accordingly adopt. *See State v. Whipple*, 177 Ariz. 272, 274, 866 P.2d 1358, 1360 (App. 1993) (when trial court correctly ruled on issues raised “in a fashion that will allow any court in the future to understand the resolution[, n]o useful purpose would be served by this court rehashing the trial court’s correct ruling in a written decision”).

¶5 We write further only to add that, by pleading guilty, Cagle waived a significant number of the claims he sought to raise, including his arguments that his vehicle had been searched illegally, that there were defects in the grand jury process and indictment, that he was questioned before being advised of his rights, and that the state committed misconduct. *See State v. Quick*, 177 Ariz. 314, 316, 868 P.2d 327, 329 (App. 1993) (guilty plea waives non-jurisdictional defects unrelated to voluntariness of plea).

¶6 Although we grant review, we deny relief.