

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

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IN RE R.M.

No. 2 CA-JV 2016-0135  
Filed September 21, 2016

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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NOT FOR PUBLICATION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. Civ. App. P. 28(a)(1), (f);  
Ariz. R. P. Juv. Ct. 103(G).

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Appeal from the Superior Court in Gila County  
No. S0400JV201500216  
The Honorable Bryan B. Chambers, Judge

**AFFIRMED**

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COUNSEL

Harriette P. Levitt, Tucson  
*Counsel for Minor*

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**MEMORANDUM DECISION**

Judge Staring authored the decision of the Court, in which Presiding Judge Howard and Judge Espinosa concurred.

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ST A R I N G, Judge:

¶1 R.M. appeals from the juvenile court's orders adjudicating him delinquent for one count of sexual conduct with a minor and placing him on probation. We affirm.

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969), and *State v. Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d 89, 97 (App. 1999). See also *In re Maricopa Cty. Juv. Action No. JV-117258*, 163 Ariz. 484, 486-87, 788 P.2d 1235, 1237-38 (App. 1989) (applying *Anders* to appeals in delinquency proceedings). Pursuant to *Anders*, counsel avows she has reviewed the record and has found "no arguable issues" to raise on appeal. Counsel also has complied with the requirements of *Clark* by "setting forth a detailed factual and procedural history of the case with citations to the record," satisfactorily demonstrating that she "has in fact thoroughly reviewed the record." 196 Ariz. 530, ¶ 32, 2 P.3d at 97. She asks this court to search the record for "error."

¶3 R.M. was charged by delinquency petition with two counts of sexual conduct with a minor, and he was adjudicated delinquent on one of those counts in May 2016.<sup>1</sup> In June 2016, R.M. was placed on Juvenile Intensive Probation Supervision until his eighteenth birthday.<sup>2</sup> "[W]e view the evidence in the light most

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<sup>1</sup>R.M. was found incompetent after the original delinquency petition was filed in 2013; he was then restored to competency and the adjudication hearing took place in May 2016.

<sup>2</sup>R.M. will turn eighteen in November 2016.

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favorable to sustaining the adjudication.” *In re John M.*, 210 Ariz. 424, ¶ 7, 36 P.3d 772, 774 (App. 2001). So viewed, the evidence established that in 2012, R.M. had oral sexual contact with the then-two-year-old victim.

¶4 We conclude substantial evidence supported the juvenile court’s finding that R.M. was responsible for sexual conduct with a minor, and the court’s disposition was statutorily authorized. *See* A.R.S. §§ 8-341, 13-1405. We find no fundamental or reversible error, and no arguable issue warranting further appellate review. *See Anders*, 386 U.S. at 744.

¶5 Accordingly, we affirm the juvenile court’s adjudication and disposition orders.