

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

DANIEL CLAY COPELAND,
Appellant.

No. 2 CA-CR 2017-0080
Filed December 1, 2017

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NOT FOR PUBLICATION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 Pinal County
No. S1100CR201502035
The Honorable Joseph R. Georgini, Judge

AFFIRMED

COUNSEL

Mark Brnovich, Arizona Attorney General
Joseph T. Maziarz, Chief Counsel, Phoenix
By Diane Leigh Hunt, Assistant Attorney General, Tucson
Counsel for Appellee

Rowley Long & Simmons PLLC, Mesa
By Matthew S. Long
Counsel for Appellant

STATE v. COPELAND
Decision of the Court

MEMORANDUM DECISION

Chief Judge Eckerstrom authored the decision of the Court, in which Presiding Judge Vásquez and Judge Eppich concurred.

ECKERSTROM, Chief Judge:

¶1 Daniel Copeland was convicted of possession of a dangerous drug, possession of drug paraphernalia, and resisting arrest. He was sentenced to enhanced, minimum, concurrent prison terms, the longest of which is eight years.

¶2 Copeland now appeals, claiming the evidence against him should have been suppressed because he was subject to an illegal search that was not justified as a search incident to arrest. However, the only suppression issue he raised in the trial court was an argument that his statements should have been suppressed as involuntary and for lack of *Miranda*¹ warning. See *State v. Lopez*, 217 Ariz. 433, ¶ 4 (App. 2008) (“An objection on one ground does not preserve the issue on another ground.”). And, on appeal, he has not claimed that fundamental error occurred. We therefore deem the argument waived and affirm Copeland’s convictions and sentences. See *State v. Moreno-Medrano*, 218 Ariz. 349, ¶¶ 16-17 (App. 2008).

¹*Miranda v. Arizona*, 384 U.S. 436 (1966).