

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

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THE STATE OF ARIZONA,  
*Appellee,*

*v.*

WAYNE LAWRENCE MANUEL,  
*Appellant.*

No. 2 CA-CR 2017-0140  
Filed October 3, 2017

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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NOT FOR PUBLICATION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. CR20164050001

The Honorable Richard D. Nichols, Judge

**AFFIRMED**

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COUNSEL

Joel Feinman, Pima County Public Defender  
By Abigail Jensen, Assistant Public Defender, Tucson  
*Counsel for Appellant*

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**MEMORANDUM DECISION**

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

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S T A R I N G, Presiding Judge:

¶1 Following a jury trial, appellant Wayne Manuel was convicted of aggravated assault causing temporary/substantial disfigurement, and aggravated assault using a deadly weapon or dangerous instrument, both dangerous offenses. The trial court sentenced Manuel to presumptive, concurrent prison terms, the longer of which is 7.5 years. Avowing she has found no arguably meritorious issue to raise on appeal, appointed 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, 2 P.3d 89 (App. 1999), asking this court to review the record for fundamental error. Manuel has not filed a supplemental brief.

¶2 Viewing the evidence in the light most favorable to upholding the jury's verdicts, *State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established that in August 2016, Manuel struck the victim several times on the head and arm with a metal pole. The victim's cheekbone was shattered and he now suffers from seizures; his arm was shattered "in six pieces," requiring surgery; and other bones, including two fingers, were broken. We conclude substantial evidence supported Manuel's convictions, *see* A.R.S. § 13-1204(A)(2), (3), and the sentences were lawful and were imposed properly, *see* A.R.S. § 13-704(A).

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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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¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have found none. *See State v. Fuller*, 143 Ariz. 571, 575, 694 P.2d 1185, 1189 (1985). Accordingly, we affirm Manuel's convictions and sentences.