

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Respondent,

v.

TROY JACK BRIGGS,
Petitioner.

No. 2 CA-CR 2017-0246-PR
Filed October 27, 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NOT FOR PUBLICATION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.

Petition for Review from the Superior Court in Pima County
No. CR20130176001
The Honorable Jane L. Eikleberry, Judge

REVIEW GRANTED; RELIEF DENIED

Troy Jack Briggs, San Luis
In Propria Persona

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MEMORANDUM DECISION

Presiding Judge Staring authored the decision of the Court, in which Chief Judge Eckerstrom and Judge Brearcliffe concurred.

S T A R I N G, Presiding Judge:

¶1 Troy Briggs seeks review of the trial court’s order summarily dismissing his petition for post-conviction relief filed pursuant to Rule 32, Ariz. R. Crim. P. We will not disturb the court’s order unless the court clearly abused its discretion. *See State v. Roseberry*, 237 Ariz. 507, ¶ 7, 353 P.3d 847, 848 (2015). Briggs has not met his burden of demonstrating such abuse here.

¶2 After a jury trial, Briggs was convicted of possession of methamphetamine, cocaine, and drug paraphernalia. The trial court sentenced him to an eight-year prison term for possession of methamphetamine, to be followed by concurrent, three-year terms of probation on the other counts. We affirmed his convictions and sentences on appeal. *State v. Briggs*, No. 2 CA-CR 2014-0333 (Ariz. App. May 13, 2015) (mem. decision).

¶3 Briggs sought post-conviction relief, and appointed counsel filed a notice stating she had reviewed the record but found no claims to raise pursuant to Rule 32. Briggs also made several requests for “discovery” and asked for a “change of venue,” claiming he would be unable “to receive a fair review of his case” because his “step daughter is employed for the Pima County Attorneys Office.” The court denied those requests. Briggs filed a pro se petition arguing his trial counsel had been ineffective for several reasons, including that he “rejected [Briggs’s] request for a Rule 11 hearing,” did not argue his “crimes were all committed on the same day and time,” and “failed to challenge the grand jury indictment.” The court summarily dismissed the petition, and this petition for review followed.

¶4 On review, Briggs summarizes the claims raised below and again claims he “does not have all discovery” and that he is

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entitled to a change of venue. But Briggs has not identified any evidence or other materials to which he is entitled. Nor has he identified any legal or factual error by the trial court either in rejecting his request for a change of venue or by denying his various claims of ineffective assistance. We have reviewed the record and conclude the court correctly identified and rejected Briggs's claims in a thorough and well-reasoned minute entry that we accordingly adopt. *See State v. Whipple*, 177 Ariz. 272, 274, 866 P.2d 1358, 1360 (App. 1993) (when trial court has 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 grant review but deny relief.