

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Respondent,

v.

CHRISTOPHER ANDERSON,
Petitioner.

No. 2 CA-CR 2018-0290-PR
Filed January 10, 2019

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NOT FOR PUBLICATION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. 31.19(e).

Petition for Review from the Superior Court in Pinal County
No. S1100CR201600622
The Honorable Kevin D. White, Judge

REVIEW DENIED

COUNSEL

Kent P. Volkmer, Pinal County Attorney
By Thomas C. McDermott, Appellate Bureau Chief, Florence
Counsel for Respondent

Christopher Anderson, Tucson
In Propria Persona

STATE v. ANDERSON
Decision of the Court

MEMORANDUM DECISION

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

B R E A R C L I F F E, Judge:

¶1 Christopher Anderson seeks review of the trial court’s order summarily dismissing his petitions for post-conviction relief filed pursuant to Rule 32, Ariz. R. Crim. P. Because Anderson has not meaningfully complied with our rules or developed any argument that he is entitled to relief, we deny review.

¶2 Anderson pleaded guilty to aggravated assault and was sentenced to a five-year prison term in December 2016. In September 2017, Anderson filed a petition for post-conviction relief claiming his sentence had been improperly enhanced based on a prior conviction. Treating that filing as a notice of post-conviction relief, the trial court appointed counsel. Counsel filed a notice stating she had reviewed the record but had found no claims to raise pursuant to Rule 32.

¶3 Anderson then filed a pro se supplemental petition asserting his trial counsel had been ineffective for failing to raise a self-defense claim and his Rule 32 counsel had been ineffective for “violation of attorney and client privilege” by speaking with his trial counsel. He also claimed his plea agreement did not permit enhancement of his sentence based on a previous conviction and he was entitled to a mitigated sentence. In a separately filed petition for post-conviction relief, Anderson further asserted trial counsel had been ineffective in failing to adequately discuss an earlier plea offer. Concluding Anderson’s notice had been untimely filed, the trial court summarily dismissed the proceeding. This petition for review followed the court’s denial of Anderson’s subsequent motion for reconsideration.

¶4 On review, Anderson does not address the trial court’s ruling, instead listing, without explanation or argument, numerous claims (the bulk of which were not raised below) and authority. Rule 32.9(c)(4)(B)(iv) requires a petition for review to contain “reasons why the appellate court should grant the petition, including citations to supporting legal authority, if known.” We will summarily reject claims that do not comply with our

STATE v. ANDERSON
Decision of the Court

rules governing the content of petitions for review. *State v. French*, 198 Ariz. 119, ¶ 9 (App. 2000), *disapproved on other grounds by Stewart v. Smith*, 202 Ariz. 446, ¶ 10 (2002). Further, a defendant waives claims unsupported by sufficient argument. *State v. Stefanovich*, 232 Ariz. 154, ¶ 16 (App. 2013). Finally, we do not address claims not first raised in the trial court. *See* Ariz. R. Crim. P. 32.9(c)(4)(B)(ii) (petition for review must contain “a statement of issues the trial court decided that the defendant is presenting for appellate review”); *see also State v. Ramirez*, 126 Ariz. 464, 467-68 (App. 1980).

¶5 We deny review.