

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

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THE STATE OF ARIZONA,  
*Appellee,*

*v.*

NABIL LEYVA-ZAZUETA,  
*Appellant.*

No. 2 CA-CR 2019-0080  
Filed January 16, 2020

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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NOT FOR PUBLICATION  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. 31.19(e).*

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Appeal from the Superior Court in Pima County  
No. CR20175639001  
The Honorable Howard Fell, Judge Pro Tempore

**AFFIRMED**

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COUNSEL

Law Offices of Erin E. Duffy P.L.L.C., Tucson  
By Erin E. Duffy  
*Counsel for Appellant*

STATE v. LEYVA-ZAZUETA  
Decision of the Court

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**MEMORANDUM DECISION**

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

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V Á S Q U E Z, Chief Judge:

¶1 After a jury trial, Nabil Leyva-Zazueta was convicted of two counts of reckless child abuse without the risk of death or serious physical injury, a domestic-violence offense. The trial court suspended the imposition of sentence and placed Leyva-Zazueta on concurrent, three-year probation terms.

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530 (App. 1999), stating she has reviewed the record but found no “arguably meritorious issues to raise on appeal” and asking this court to review the record for error. Leyva-Zazueta has not filed a supplemental brief.

¶3 Viewed in the light most favorable to sustaining the jury’s verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2 (App. 1999), the evidence is sufficient here, *see* A.R.S. §§ 13-3601(A)(4), 13-3623(B)(2). Based on hair samples collected in October 2017, one of Leyva-Zazueta’s minor children tested positive for methamphetamine and another tested positive for methamphetamine and cocaine, as did Leyva-Zazueta. At all relevant times, each child resided with Leyva-Zazueta. The terms of probation were lawfully imposed. *See* A.R.S. §§ 13-901(A), 13-902(A)(4), 13-3623(B)(2).

¶4 Pursuant to our obligation under *Anders*, we have searched the record for error and found none. Accordingly, we affirm Leyva-Zazueta’s convictions and dispositions.