

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

ISIDRO CABRERA-FELIX,
Appellant.

No. 2 CA-CR 2019-0237
Filed September 4, 2020

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NOT FOR PUBLICATION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).

Appeal from the Superior Court in Pima County
No. CR20184046001
The Honorable Deborah Bernini, Judge

AFFIRMED

COUNSEL

Joel Feinman, Pima County Public Defender
By Sarah L. Mayhew, Assistant Public Defender, Tucson
Counsel for Appellant

STATE v. CABRERA-FELIX
Decision of the Court

MEMORANDUM DECISION

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

E P P I C H, Presiding Judge:

¶1 After a jury trial, Isidro Cabrera-Felix was convicted of molestation of a child, a dangerous crime against children. The trial court sentenced him to a partially mitigated term of fifteen years' imprisonment. On appeal, counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), stating she has reviewed the record and "has been unable to find any meritorious issue to raise." Consistent with *State v. Clark*, 196 Ariz. 530, ¶ 30 (App. 1999), counsel has provided "a detailed factual and procedural history of the case, with citations to the record," and has asked us to search the record for reversible error. Cabrera-Felix has not filed a supplemental brief.

¶2 Viewed in the light most favorable to affirming the jury's verdict, see *State v. Miles*, 211 Ariz. 475, ¶ 2 (App. 2005), the evidence is sufficient here, see A.R.S. § 13-1410(A). One night in September 2018, while then-seven-year-old S.V. was sleeping, Cabrera-Felix rubbed her "private parts" with his hand over her clothing, causing her to wake up. The sentence imposed is within the statutory range. See A.R.S. §§ 13-705(D), 13-1410(B).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for reversible error and have found none.¹ Accordingly, we affirm Cabrera-Felix's conviction and sentence.

¹ Cabrera-Felix has asked us to disapprove the trial practice of discussing jury instructions off the record and then allowing counsel to state their objections on the record "because it denies this court a fair opportunity to review the discussions and fundamental errors related to the instructions." We, however, do not issue advisory opinions and decline the request to do so here. See *State v. Bernini*, 220 Ariz. 536, ¶ 10 (App. 2009); see also Ariz. R. Crim. P. 21.3 (discussing procedure for jury instructions).