

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

RACHEL ANN SMITH,
Appellant.

No. 2 CA-CR 2020-0004
Filed July 10, 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NOT FOR PUBLICATION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 Pinal County
No. S1100CR201702198
The Honorable Delia Neal, Judge

AFFIRMED AS CORRECTED

COUNSEL

Rosemary Gordon Pánuco, Tucson
Counsel for Appellant

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MEMORANDUM DECISION

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

V Á S Q U E Z, Chief Judge:

¶1 Rachel Smith was convicted after a jury trial of unlawful flight from law enforcement, endangerment, and driving with a drug or its metabolite in her body. The trial court suspended the imposition of sentence and placed Smith 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 “non-frivolous issue to raise on appeal” and asking this court to review the record for error. Smith 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. §§ 13-1201(A), 28-622.01, 28-1381(A)(3). In July 2017, Smith led police on a low-speed chase, during which she collided with a pursuing police vehicle; testing of Smith’s blood drawn pursuant to a warrant showed the presence of methamphetamine. The terms of probation were lawfully imposed. *See* A.R.S. §§ 13-901(A), 13-902(A)(4), (5), 13-1201(B), 28-622.01, 28-1381(C).

¶4 The sentencing minute entry incorrectly stated Smith had been found guilty of possession of drug paraphernalia and omitted her conviction for driving with a drug or its metabolite in her body. The sentencing transcript shows the trial court correctly recited Smith’s convictions and imposed a three-year term of probation for each. We correct the sentencing minute entry to reflect the court’s oral pronouncement. *See State v. Ovante*, 231 Ariz. 180, ¶ 38 (2013) (appellate court may correct written minute entry to reflect sentence intended by oral pronouncement).

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¶5 Pursuant to our obligation under *Anders*, we have searched the record for reversible error and found none. Accordingly, we affirm Smith's convictions and the disposition as corrected.