

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

MODESTO GRADILLAS,
Appellant.

No. 2 CA-CR 2020-0027
Filed September 8, 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NOT FOR PUBLICATION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. CR20190224001
The Honorable James E. Marner, Judge

AFFIRMED

COUNSEL

Robert A. Kerry, Tucson
Counsel for Appellant

STATE v. GRADILLAS
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, appellant Modesto Gradillas was convicted of second-degree burglary. The trial court sentenced him to an enhanced, minimum ten-year prison term. Counsel has filed a brief citing *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530 (App. 1999), stating he “has reviewed the record” and “[n]o arguable question of law has been found.” Gradillas has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the verdict, see *State v. Delgado*, 232 Ariz. 182, ¶ 2 (App. 2013), the evidence was sufficient to support the jury’s finding of guilt, see A.R.S. § 13-1507(A). The evidence presented at trial showed that in January 2019, Gradillas used a rock to break a window and entered the victim’s home, taking various items before being captured by law enforcement officers and found with a backpack containing the victim’s belongings. We further conclude the trial court correctly found Gradillas to have four historical prior felony convictions, and the sentence imposed is within the statutory limit. See A.R.S. §§ 13-703(C), (J), 13-1507(B).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have found none. Therefore, Gradillas’s conviction and sentence are affirmed.