

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

DAVID MARK GOVORKO,
Appellant.

No. 2 CA-CR 2020-0058
Filed September 2, 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NOT FOR PUBLICATION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. CR20172796001
The Honorable Teresa Godoy, Judge Pro Tempore

AFFIRMED

COUNSEL

Emily Danies, Tucson
Counsel for Appellant

STATE v. GOVORKO
Decision of the Court

MEMORANDUM DECISION

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

BREARCLIFFE, Judge:

¶1 After a jury trial, David Govorko was convicted of possession of a deadly weapon by a prohibited possessor.¹ The trial court sentenced him to an enhanced, partially mitigated prison term of 6.5 years. 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 was unable to find any “arguable question of law.” 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. Govorko 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. § 13-3102(A)(4)*. In February 2017, Govorko sold a nine-millimeter handgun at a pawn shop. Govorko had been previously convicted of a felony, and his civil right to possess or carry a gun had not been restored.

¶3 The record also supports the trial court’s finding that Govorko had two historical prior felony convictions. The sentence imposed is within the statutory range. *See A.R.S. §§ 13-703(C), (J), 13-3102(M)*.

¶4 Pursuant to our obligation under *Anders*, we have searched the record for reversible error and have found none. Accordingly, we affirm Govorko’s conviction and sentence.

¹Govorko was also indicted for trafficking in stolen property and theft of a firearm. After being convicted of weapons misconduct, he pled guilty to attempted trafficking in stolen property and was sentenced to prison term of 2.5 years, to run concurrently with his sentence for weapons misconduct.