

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Respondent,

v.

WILLIAM LOUIS HUFF,
Petitioner.

No. 2 CA-CR 2020-0090-PR
Filed October 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NOT FOR PUBLICATION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).

Petition for Review from the Superior Court in Cochise County
No. CR07232
The Honorable James L. Conlogue, Judge

REVIEW DENIED

William Louis Huff, Florence
In Propria Persona

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MEMORANDUM DECISION

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

STARING, Presiding Judge:

¶1 William Huff seeks review of the trial court’s order summarily dismissing his notice of post-conviction relief and accompanying motion seeking modification of his sentence, which the court treated as a petition for post-conviction relief filed pursuant to Rule 33, Ariz. R. Crim. P. We deny review.

¶2 Huff pled guilty to second-degree murder and was sentenced in 1967 to life in prison with parole eligibility after forty years. In February 2020, Huff filed a notice of post-conviction relief in which he indicated he was raising claims that his sentence was illegal, that his failure to timely seek post-conviction relief was without fault on his part, and that there had been a significant change in the law. He also filed a motion seeking “special action review” and modification of his sentence, citing Rule 33.1(c), (f), and (g). He argued, among other things, that his sentence was disproportionate and that he had not understood when he pled guilty that he would be required to serve “the entire minimum sentence.” The trial court summarily dismissed the proceeding, concluding that Huff’s claims were precluded.

¶3 Huff then filed in this court a document in which he argued that the Board of Executive Clemency had erred in revoking his release to home arrest in January 2019. This court will not address claims not first raised in the trial court and properly presented to this court for review. *State v. Ramirez*, 126 Ariz. 464, 468 (App. 1980). Huff attached to this filing a copy of the court’s ruling below, with handwritten notations summarizing some of the arguments he had made below. Insofar as he seeks review of the court’s decision, his filing does not comply in any meaningful way with Rule 33.16(c)(2). Accordingly, our summary denial of review is justified. *See* Ariz. R. Crim. P. 33.16(k) (appellate review under Rule 33.16 discretionary); *State v. French*, 198 Ariz. 119, ¶ 9 (App. 2000) (summarily rejecting claims not complying with rules governing form and

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content of petitions for review), *disapproved on other grounds by Stewart v. Smith*, 202 Ariz. 446, ¶ 10 (2002).

¶4 We deny review.