

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION TWO

---

THE STATE OF ARIZONA,  
*Appellee,*

*v.*

JACK MARTINEZ,  
*Appellant.*

No. 2 CA-CR 2020-0078  
Filed January 25, 2021

---

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NOT FOR PUBLICATION  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. CR20191528002  
The Honorable James E. Marner, Judge

**AFFIRMED**

---

COUNSEL

Joel Feinman, Pima County Public Defender  
By Abigail Jensen, Assistant Public Defender, Tucson  
*Counsel for Appellant*

STATE v. MARTINEZ  
Decision of the Court

---

**MEMORANDUM DECISION**

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

---

E P P I C H, Presiding Judge:

¶1 After a jury trial, Jack Martinez was convicted of possession of drug paraphernalia, possession of a dangerous drug, and transfer of a dangerous drug exceeding the statutory threshold amount. The trial court found Martinez had two historical prior felony convictions and sentenced him to concurrent sentences, the longest of which is ten years.

¶2 Counsel filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), *State v. Leon*, 104 Ariz. 297 (1969), and *State v. Clark*, 196 Ariz. 530 (App. 1999), stating she has reviewed the record but found no “meritorious issue to raise on appeal.” Consistent with *Clark*, 196 Ariz. 530, ¶ 32, counsel has provided “a detailed factual and procedural history of the case with citations to the record,” and has asked this court to review the record for fundamental error. Martinez 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 to support the jury’s findings of guilt, *see* A.R.S. §§ 13-3401(6)(c)(xxxviii), (36)(e), 13-3407(A)(1), (7), 13-3415(A), (F)(2)(j). The evidence presented at trial showed that on March 21, 2019, Martinez sold approximately an ounce of methamphetamine to an undercover police officer in exchange for \$350 in marked bills; the sale took place inside the officer’s vehicle, near a residence Martinez had exited before the sale and which he reentered afterward. Later, when officers sought to make contact with the occupants of the residence and announced their presence, Martinez ran out the back door and attempted to hop over a fence. Martinez dropped a digital scale and two bags of money containing bills that matched the marked bills, and an officer found a sock with three baggies containing methamphetamine in one of his pockets and a baggie containing methamphetamine residue in another pocket. Sufficient evidence also supports the trial court’s finding that Martinez had two historical prior felony convictions, and the sentences imposed are within

STATE v. MARTINEZ  
Decision of the Court

the statutory range. *See* A.R.S. §§ 13-105(22)(b), 13-703(C), (J), 13-3407(D), (E).

¶4 Pursuant to our obligation under *Anders*, we have searched the record for reversible error and have found none. Accordingly, we affirm Martinez's convictions and sentences.