

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

BRYAN LEE SHAW,
Appellant.

No. 2 CA-CR 2020-0095
Filed May 18, 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NOT FOR PUBLICATION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 Pinal County
No. S1100CR201300919
The Honorable Delia R. Neal, Judge

AFFIRMED

COUNSEL

Winkley Law Firm PLLC, Maricopa
By Katherine A. Winkley
Counsel for Appellant

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MEMORANDUM DECISION

Vice Chief Judge Staring authored the decision of the Court, in which Presiding Judge Espinosa and Judge Eckerstrom concurred.

STARING, Vice Chief Judge:

¶1 After a jury trial, Bryan Shaw was convicted in 2020 of first-degree murder and aggravated assault.¹ The trial court sentenced him to natural life in prison for the murder and a consecutive 7.5-year sentence for aggravated assault. 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 issues to raise on appeal” and asking this court to review the record for fundamental error.² Shaw has not filed a supplemental brief.

¶2 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. §§ 13-1105(A)(1), 13-1203(A)(1), 13-1204(A)(2). In August 2012, D.P.-S. and L.C. were asleep in the bedroom at D.P.-S.’s house when they were awakened by a loud noise; D.P.-S. left the bedroom to investigate, after which L.C. heard her “yell[] out Bryan [Shaw].” L.C. went into the living room and found Shaw, D.P.-S.’s estranged husband, holding a bat and arguing with D.P.-S. about her relationship with L.C. Shaw then struck L.C. in the head with the bat, causing blunt-force trauma to her face. When L.C. awoke after the beating, D.P.-S. was gone. On the same date, Shaw fatally shot D.P.-S., who was later found at Picacho Lake with a single gunshot wound to her head. Blood matching D.P.-S.’s DNA was found on

¹Shaw was also charged with weapons misconduct, which was severed from the other charges.

²After reviewing counsel’s opening brief, we determined it was not in compliance with *Clark*, 196 Ariz. 530. We struck that brief and directed counsel to file a replacement brief, which she did. We note, however, that in her replacement brief, counsel not only directed us to the wrong transcript for certain facts she cited, but she failed to ensure that all of the necessary transcripts were included in the record on appeal.

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the curb near D.P.-S.'s home and in Shaw's vehicle. The sentences imposed are within the statutory range. *See* A.R.S. §§ 13-704(A), 13-752(A).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, prejudicial error and have found none. Accordingly, we affirm Shaw's convictions and sentences.