

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

LEONARDO BARCELO-SAMANIEGO,
Appellant.

No. 2 CA-CR 2022-0128
Filed August 1, 2023

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NOT FOR PUBLICATION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. CR20190946001
The Honorable Scott McDonald, Judge
The Honorable Howard Fell, Judge Pro Tempore

AFFIRMED

COUNSEL

Law Offices of Thomas Jacobs, Tucson
By Thomas Jacobs
Counsel for Appellant

STATE v. BARCELO-SAMANIEGO
Decision of the Court

MEMORANDUM DECISION

Judge Sklar authored the decision of the Court, in which Vice Chief Judge Staring and Judge O'Neil concurred.

S K L A R, Judge:

¶1 After a jury trial, Leonardo Barcelo-Samaniego was convicted of three counts of sexual abuse, three counts of kidnapping, four counts of aggravated assault, and one count of child molestation, all committed against minors under the age of fifteen. The trial court sentenced him to consecutive and concurrent prison terms totaling ninety-three years.

¶2 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 he has reviewed the record but found “no issues of merit” and asking this court to search the record for error. Barcelo-Samaniego 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 here, *see* A.R.S. §§ 13-1204(A)(6), 13-1304(A)(3), 13-1404(A), 13-1410(A). Barcelo-Samaniego held I.C. down and touched her breasts and, on another occasion, grabbed her from behind and touched her crotch and breast. He touched D.S.’s genitals. He touched A.M.’s genitals and breasts on one occasion and, at another time, touched her breasts while holding her against a wall. On at least two occasions, he touched J.R.’s breasts and genitals. All the victims were under the age of fifteen.

¶4 Sufficient evidence also supported the jury’s findings that Barcelo-Samaniego was in a position of trust and his conduct caused the victims emotional harm. *See* A.R.S. § 13-701(D)(9), (27). Barcelo-Samaniego’s prison terms were lawfully imposed. *See* A.R.S. §§ 13-702(D), 13-705(F), (H), (T)(1)(d), (i), (j), 13-1204(E), 13-1304(B), 13-1404(C), 13-1410(B).

¶5 We have searched the record for reversible error and found none. Accordingly, we affirm Barcelo-Samaniego’s convictions and sentences.