

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

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THE STATE OF ARIZONA,  
*Respondent,*

*v.*

JEFFREY JAMES FAULKNER,  
*Petitioner.*

No. 2 CA-CR 2022-0158-PR  
Filed February 8, 2023

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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NOT FOR PUBLICATION  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).

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Petition for Review from the Superior Court in Maricopa County  
Nos. CR1994009172, CR1995000234, and CR1995000235  
The Honorable David W. Garbarino, Judge

**REVIEW GRANTED; RELIEF DENIED**

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Jeffrey James Faulkner, Buckeye  
*In Propria Persona*

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MEMORANDUM DECISION

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

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E P P I C H, Presiding Judge:

¶1 Petitioner Jeffrey Faulkner seeks review of the trial court’s order dismissing his petition for post-conviction relief, filed pursuant to Rules 32 and 33, Ariz. R. Crim. P. “We will not disturb a trial court’s ruling on a petition for post-conviction relief absent a clear abuse of discretion.” *State v. Ainsworth*, 250 Ariz. 457, ¶ 1 (App. 2021). Faulkner has not sustained his burden of establishing such abuse here.

¶2 After a jury trial in CR 1994-009172, Faulkner was convicted of two counts of aggravated assault.<sup>1</sup> *State v. Faulkner*, No. 1 CA-CR 16-0426 PRPC, ¶ 2 (Ariz. App. Sept. 12, 2017) (mem. decision). Pursuant to plea agreements in CR 1995-000234 and CR 1995-000235 he was convicted of aggravated assault and armed robbery. The trial court ultimately sentenced him to consecutive twenty-one-year prison terms in CR 1994-009172, which it ordered to be served concurrently to the sentences imposed in the other two causes. The court imposed a twenty-one-year sentence for armed robbery and a concurrent, fifteen-year sentence for aggravated assault in those causes. Faulkner has previously sought and been denied post-conviction relief in each proceeding.

¶3 In March 2022, Faulkner again sought post-conviction relief, arguing that he had received ineffective assistance of counsel in regard to an appeal he voluntarily dismissed in 1998 and that the Arizona Department of Corrections was wrongfully deducting money from his

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<sup>1</sup>After a first trial, Faulkner’s convictions were reversed on appeal. *State v. Faulkner*, 1 CA-CR 96-0265 (Ariz. App. Apr. 29, 1997) (mem. decision). Faulkner was convicted again after a second trial and, after receiving relief, in part, in a post-conviction proceeding, was resentenced to the terms described herein. *Faulkner*, No. 1 CA-CR 16-0426 PRPC, ¶¶ 3-4. Those sentences were affirmed on appeal. *State v. Faulkner*, No. 1 CA-CR 01-0099, ¶ 6 (Ariz. App. Oct. 25, 2001) (mem. decision).

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account to pay restitution. The trial court summarily dismissed the proceeding.

¶4 On review, Faulkner repeats his arguments and argues the trial court abused its discretion in dismissing the proceeding. We cannot say the court abused its discretion in denying Faulkner's petition for post-conviction relief. The court clearly identified the claims Faulkner had raised and resolved them correctly in a thorough, well-reasoned minute entry, which we adopt. *See State v. Whipple*, 177 Ariz. 272, 274 (App. 1993) (when trial court has correctly ruled on issues raised "in a fashion that will allow any court in the future to understand the resolution[, n]o useful purpose would be served by this court rehashing the trial court's correct ruling in a written decision").

¶5 We grant the petition for review but deny relief.