# IN THE ARIZONA COURT OF APPEALS DIVISION TWO

THE STATE OF ARIZONA, *Appellee*,

v.

JUAN MORENO URREA, *Appellant*.

No. 2 CA-CR 2022-0179 Filed May 2, 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 NOT FOR PUBLICATION See Ariz.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. CR20191216001 The Honorable Brenden J. Griffin, Judge

### AFFIRMED

#### COUNSEL

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

### STATE v. URREA Decision of the Court

## MEMORANDUM DECISION

Judge Kelly authored the decision of the Court, in which Presiding Judge Brearcliffe and Judge Eckerstrom concurred.

K E L L Y, Judge:

 $\P1$  After a jury trial, Juan Urrea was convicted of leaving the scene of an accident resulting in death or serious physical injury. The trial court suspended the imposition of sentence, placed Urrea on a five-year term of probation, and – as a condition of his probation – ordered him to spend 179 days in jail.

**Q** On appeal, 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 and "has not found any issue that is not frivolous." Consistent with *Clark*, 196 Ariz. 530, **§** 30, counsel has provided "a detailed factual and procedural history of the case, with citations to the record," and has asked this court to search the record for fundamental error. Urrea has not filed a supplemental brief.

**¶3** Viewed in the light most favorable to affirming the jury's verdict, *see State v. Holle*, 240 Ariz. 300, **¶** 2 (2016), the evidence is sufficient here, *see* A.R.S. §§ 13-105(39), 28-661(A), 28-663(A). Early one morning in March 2019, Urrea, who was driving a car, failed to stop after colliding with D.R., who was riding a bicycle. D.R. later died from his injuries, which included multiple skull fractures and bleeding around his brain. The probationary term imposed is within the statutory range. *See* A.R.S. §§ 13-901, 13-902(A)(2), 28-661(C).

**¶4** Pursuant to our obligation under *Anders*, we have searched the record for reversible error and have found none. *See State v. Fuller*, 143 Ariz. 571, 575 (1985). Accordingly, we affirm Urrea's conviction and term of probation.