

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES. See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24.

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COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	
)	
Appellee,)	2 CA-CR 2009-0025
)	DEPARTMENT B
v.)	<u>MEMORANDUM DECISION</u>
)	Not for Publication
IRMA ALICIA HAIGHT-OLIVAS,)	Rule 111, Rules of
)	the Supreme Court
Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR-20030416

Honorable Howard Fell, Judge Pro Tempore

AFFIRMED

Robert J. Hirsh, Pima County Public Defender
By Rebecca A. McLean

Tucson
Attorneys for Appellant

V Á S Q U E Z, Judge.

¶1 Appellant Irma Haight-Olivas was convicted after a jury trial of possession of a dangerous drug for sale, possession of marijuana for sale, and two counts of possession of a narcotic drug for sale, all in quantities above the threshold amount, and possession of drug paraphernalia. The trial court found Haight-Olivas had one historical prior felony conviction and sentenced her to substantially mitigated, concurrent terms of imprisonment, the longest of which was 4.5 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, 2 P.3d 89 (App. 1999), avowing she has found no arguable issue to raise on appeal. In compliance with *Clark*, counsel has provided “a detailed factual and procedural history of the case with citations to the record, [so] this court can satisfy itself that counsel has in fact thoroughly reviewed the record.” 196 Ariz. 530, ¶ 32, 2 P.3d at 97. Haight-Olivas has not filed a supplemental brief.

¶3 Pursuant to our obligation under *Anders*, we have reviewed the record in its entirety and are satisfied it supports counsel’s recitation of the facts. Viewed in the light most favorable to upholding the jury’s verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established that members of a Drug Enforcement Agency task force searched Haight-Olivas’s home pursuant to a warrant and discovered large quantities of methamphetamine, cocaine, cocaine base, and marijuana, as well as scales and packaging commonly used in drug trafficking.

¶4 Substantial evidence supported findings of all the elements necessary for Haight-Olivas's convictions, *see* A.R.S. §§ 13-3401(5), (6)(b)(xiii), (20)(z), (36)(b), (c), (e), (h); 13-3407(A)(2), (B)(2), (D); 13-3408(A)(2), (B)(2), (D); 13-3415(B), and her sentences are within the range authorized. *See* A.R.S. § 13-703(B)(2), (I).¹ In our examination of the record pursuant to *Anders*, we have found no reversible error and no arguable issue warranting further appellate review. *See Anders*, 386 U.S. at 744. We therefore affirm Haight-Olivas's convictions and sentences.

GARYE L. VÁSQUEZ, Judge

CONCURRING:

PETER J. ECKERSTROM, Presiding Judge

J. WILLIAM BRAMMER, JR., Judge

¹These sentencing provisions are materially the same as those in effect in 2006, when Haight-Olivas committed these offenses. *See* 1993 Ariz. Sess. Laws, ch. 255, § 12.