

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

FILED BY CLERK

JUN 25 2010

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,)	2 CA-CR 2009-0390
)	DEPARTMENT A
Appellee,)	
)	<u>MEMORANDUM DECISION</u>
v.)	Not for Publication
)	Rule 111, Rules of
CHRISTOPHER ANTHONY TRUJILLO,)	the Supreme Court
)	
Appellant.)	
_____)	

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR20084897

Honorable Edgar B. Acuña, Judge

AFFIRMED

R. Lamar Couser

Tucson
Attorney for Appellant

HOWARD, Chief Judge.

¶1 Following a jury trial, Christopher Trujillo was convicted of aggravated robbery and theft of a means of transportation, both class three felonies. Trujillo admitted to having two, non-historical prior felony convictions, and the trial court sentenced him pursuant to former A.R.S. § 13-702.02¹ to concurrent, slightly mitigated,

¹Section 13-702.02, in effect at the time of Trujillo's crimes, has since been repealed. 2008 Ariz. Sess. Laws, ch. 301, § 25.

five-year prison terms. Trujillo appealed, and counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967) and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969), avowing he has “diligently searched the record for meritorious and non-frivolous issues which might result in reversal and can find none.” He asks this court to review the record for fundamental error. Trujillo has not filed a supplemental brief.

¶2 Pursuant to our obligation under *Anders*, we have reviewed the entire record and found no error warranting reversal. Viewed in the light most favorable to sustaining the jury’s verdict, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established that Trujillo and two other men followed the victim as he was delivering newspapers at 3:30 a.m. on December 13, 2008, and approached him when he stopped to make a delivery. Trujillo yelled at the victim and began “throwing punches,” while one of the other men “help[ed] to get [the victim] away from the front of [his] vehicle.” The third man “jumped in [the victim’s vehicle] and took off.”

¶3 Sufficient evidence supports the jury’s verdicts, and the sentences the court imposed were within the statutory range established for the offenses. Thus, we affirm Trujillo’s convictions and sentences.

/s/ Joseph W. Howard

JOSEPH W. HOWARD, Chief Judge

CONCURRING:

/s/ Philip G. Espinosa

PHILIP G. ESPINOSA, Presiding Judge

/s/ Virginia C. Kelly

VIRGINIA C. KELLY, Judge