

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

NOV 19 2010

COURT OF APPEALS  
DIVISION TWO

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION TWO

IN RE ANGEL R. )  
) 2 CA-JV 2010-0086  
) DEPARTMENT A  
)  
) MEMORANDUM DECISION  
) Not for Publication  
) Rule 28, Rules of Civil  
) Appellate Procedure  
)  
)  
)

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. JV17154503

Honorable Sarah R. Simmons, Judge

AFFIRMED

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Robert J. Hirsh, Pima County Public Defender  
By Susan C. L. Kelly

Tucson  
Attorneys for Minor

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B R A M M E R, Presiding Judge.

¶1 Angel R. was charged by delinquency petition with misdemeanor assault. After a delinquency hearing, the juvenile court found he had committed the charged offense and adjudicated Angel delinquent. At the disposition hearing, the court found Angel did not meet the criteria for commitment and accepted the probation officer's recommendation that Angel perform ten hours of community service and write a letter

“in regard to what happened.” The court found Angel already had complied satisfactorily with those requirements.

¶2 Angel’s counsel has filed a brief in compliance with, inter alia, *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), asking this court to review the entire record for error. See *In re Maricopa County Juv. Action No. JV-117258*, 163 Ariz. 484, 485-87, 788 P.2d 1235, 1236-38 (App. 1989) (affording juveniles adjudicated delinquent *Anders*-type review on appeal). As an arguable issue, counsel asks us to consider whether there was sufficient evidence for the juvenile court to find beyond a reasonable doubt that Angel had committed the offense.

¶3 Viewing the evidence in the light most favorable to sustaining the juvenile court’s adjudication, see *In re Julio L.*, 197 Ariz. 1, ¶ 6, 3 P.3d 383, 385 (2000), we find sufficient evidence supported the court’s finding Angel had committed assault. A person commits assault, inter alia, by “[k]nowingly touching another person with the intent to injure, insult or provoke such person.” A.R.S. § 13-1203(A)(3). Angel and two other boys approached a female classmate while she was putting away her backpack. The boys pressed their bodies against her, “kind of . . . humping [her],” for several seconds, and the victim testified she was embarrassed and insulted by their conduct. Angel admitted to a school disciplinary officer he had done so, but said he was only “playing.”

¶4 We have searched the record as requested and find no reversible error. As noted above, sufficient evidence supported the juvenile court’s order adjudicating Angel delinquent for having committed assault. And the court soundly exercised its discretion

in adopting the probation officer's recommendations. We therefore affirm the court's order adjudicating Angel delinquent and its disposition.

/s/ J. William Brammer, Jr.  
J. WILLIAM BRAMMER, JR., Presiding Judge

CONCURRING:

/s/ Joseph W. Howard  
JOSEPH W. HOWARD, Chief Judge

/s/ Philip G. Espinosa  
PHILIP G. ESPINOSA, Judge