

SUPREME COURT OF ARIZONA

In re the Detention of: ) Arizona Supreme Court  
WILBER W. ) No. CV-02-0328-PR  
)  
) Court of Appeals  
) Division One  
) No. 1 CA-MH 01-0008 SP  
)  
) Mohave County Superior  
) Court  
) No. CV 2000-0152  
)  
) **O P I N I O N**  
)  
)

---

Appeal from the Superior Court of Mohave County  
No. CV 2000-0152  
The Honorable James E. Chavez, Judge  
REMANDED

---

Opinion of the Court of Appeals  
Division One  
203 Ariz. 301, 53 P.3d 1145 (App. 2002)  
VACATED

---

Janet Napolitano, Former Arizona Attorney General  
Terry Goddard, Attorney General Phoenix  
by Randall M. Howe, Chief Counsel,  
Criminal Appeals Section  
and Diane M. Acosta, Assistant Attorney General Tucson  
Criminal Appeals Section  
Attorneys for State of Arizona

Eric J. Engan, P.C. Kingman  
by Eric J. Engan  
Attorney for Wilber W.

---

M c G R E G O R, Vice Chief Justice

¶1 We granted review to consider the opinion of the Court of Appeals in light of our decision in *In re Leon G.*, \_\_\_ Ariz. \_\_\_, 59 P.3d 779 (2002). We exercise jurisdiction pursuant to Article VI, Section 5 of the Arizona Constitution.

¶2 Although the analysis in *In re Wilber W.*, 203 Ariz. 301, 53 P.3d 1145 (App. 2002), largely anticipated our decision in *In re Leon G.*, minor areas of disagreement exist between the two decisions. For that reason, we vacate the opinion of the Court of Appeals and remand this matter to the Superior Court for further proceedings consistent with *In re Leon G.* We also vacate as moot the stay previously entered.

---

Ruth V. McGregor  
Vice Chief Justice

CONCURRING:

---

Charles E. Jones, Chief Justice

---

Rebecca White Berch, Justice

---

Michael D. Ryan, Justice