

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION TWO

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THE STATE OF ARIZONA,  
*Appellee,*

*v.*

SEVERO ANTHONY TORRES, III,  
*Appellant.*

No. 2 CA-CR 2013-0363  
Filed September 15, 2014

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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NOT FOR PUBLICATION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); Ariz. R. Crim. P. 31.24.*

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Appeal from the Superior Court in Cochise County

No. CR201200116

The Honorable James L. Conlogue, Judge

**AFFIRMED**

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COUNSEL

John William Lovell, Tucson  
*Counsel for Appellant*

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**MEMORANDUM DECISION**

Judge Espinosa authored the decision of the Court, in which Presiding Judge Miller and Chief Judge Eckerstrom concurred.

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ESPINOSA, Judge:

¶1 Following a bench trial, appellant Severo Torres was convicted of conspiracy, transportation of marijuana for sale, and possession of drug paraphernalia. The trial court sentenced him to concurrent, enhanced, “slightly aggravated” terms of imprisonment, the longest of which were twelve years. 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), stating he has reviewed the record and has found no “arguable question of law” to raise on appeal. Counsel has asked us to search the record for fundamental error. Torres has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the verdict, the evidence was sufficient to support the trial court’s finding of guilt. See *State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999). The evidence presented to the court showed that in 2009, Torres was stopped while driving a truck containing approximately 300 pounds of marijuana wrapped in cellophane and tape. He admitted that he had met two other men earlier in the day who had loaded his vehicle with marijuana and that the passenger in his vehicle when he was stopped had entered the vehicle with the marijuana and was someone who transported marijuana into the United States on foot. He also stated that someone else was “escorting him from the rear” and that upon arriving in Tucson he was to be told where to deliver the marijuana. We further conclude the sentence imposed is within the statutory limit. See A.R.S. §§ 13-703(B)(2); 13-1003; 13-3405(A)(4), (B)(11); 13-3415(A).

¶3 Pursuant to our obligation under *Anders*, we have considered the “injustice” counsel suggests occurred and searched

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the record for fundamental, reversible error, but have found none. Therefore, Torres's convictions and sentences are affirmed.