

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

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THE STATE OF ARIZONA,  
*Appellee,*

*v.*

JACOB BRANDON FIMBRES,  
*Appellant.*

No. 2 CA-CR 2014-0083  
Filed February 6, 2015

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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NOT FOR PUBLICATION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)(1); Ariz. R. Crim. P. 31.24.*

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Appeal from the Superior Court in Pima County

No. CR20132360001

The Honorable Paul E. Tang, Judge

The Honorable Kenneth Lee, Judge

**AFFIRMED**

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COUNSEL

Lori J. Lefferts, Pima County Public Defender  
By Abigail Jensen, Assistant Public Defender, Tucson  
*Counsel for Appellant*

STATE v. FIMBRES  
Decision of the Court

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**MEMORANDUM DECISION**

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

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ECKERSTROM, Chief Judge:

¶1 After a jury trial, Jacob Fimbres was convicted of second-degree trafficking in stolen property. The trial court sentenced him to an enhanced, partially mitigated, four-year prison term.

¶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), asserting she has reviewed the record but found no arguable issue to raise on appeal. Consistent with *Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d at 97, she has provided “a detailed factual and procedural history of the case with citations to the record” and asks this court to search the record for error. Fimbres has not filed a supplemental brief.

¶3 Viewing the evidence in the light most favorable to sustaining the verdict, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), sufficient evidence supports the jury’s verdict. In April 2013, Fimbres possessed and offered for sale property that had recently been stolen in a burglary; he claimed he had been offered the property by an acquaintance and had purchased it in a parking lot, acknowledging to police that he paid a very low price for it. A.R.S. §§ 13-2301(B)(3), 13-2307(A);<sup>1</sup> *see also* A.R.S. § 13-2305 (permitting inference that person in possession of stolen property “aware of the risk that it had been stolen” when

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<sup>1</sup>Unless otherwise noted, we cite the current versions of statutes in this decision, as their material provisions have not changed since Fimbres’s offense.

STATE v. FIMBRES  
Decision of the Court

property was recently stolen or obtained at price “substantially below its fair market value”). Fimbres’s prison term is within the statutory limit and was imposed properly. A.R.S. §§ 13-105(22)(c), 13-604(A), 13-2307(C); 2012 Ariz. Sess. Laws, ch. 190, § 2 (former A.R.S. § 13-703(B), (I)).

¶4 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and found none. *See State v. Fuller*, 143 Ariz. 571, 575, 694 P.2d 1185, 1189 (1985) (*Anders* requires court to search record for fundamental error). Accordingly, we affirm Fimbres’s conviction and sentence.