

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

JUAN ANTONIO NINO JR.,
Appellant.

No. 2 CA-CR 2014-0137
Filed November 25, 2014

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NOT FOR PUBLICATION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.

Appeal from the Superior Court in Pinal County
No. CR201300647
The Honorable Bradley M. Soos, Judge Pro Tempore

AFFIRMED

COUNSEL

Flores & Clark, LLC, Globe
By Daisy Flores
Counsel for Appellant

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MEMORANDUM DECISION

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

M I L L E R, Presiding Judge:

¶1 After a jury trial, appellant Juan Nino Jr. was convicted of misconduct involving weapons, specifically possession of a firearm by a prohibited possessor, as well as two counts of possession of a dangerous drug and one count each of aggravated assault and tampering with physical evidence. The trial court sentenced him to a combination of concurrent and consecutive prison terms totaling eighteen years.

¶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. Nino has not filed a supplemental brief.

¶3 Viewing the evidence in the light most favorable to sustaining the verdicts, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), sufficient evidence supports the jury’s verdicts. In April 2013, sheriff’s deputies arrested Nino on an outstanding warrant. Nino, who has several previous felony convictions, was found in a shed with a rifle near him and, during his arrest, he placed in his mouth and attempted to swallow one of two baggies of methamphetamine he had on his person; he also struck one of the deputies several times. *See* A.R.S. §§ 13-1203(A)(3), 13-1204(A)(8)(a), 13-2809(A), 13-3102(A)(4), 13-3407(A)(1).

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¶4 Sufficient evidence also supports the trial court's finding that Nino has at least two historical prior felony convictions. A.R.S. §§ 13-105(22), 13-703(C). His prison terms are within the statutory limit and were imposed properly. See A.R.S. §§ 13-703(C), (J), 13-1204(E), 13-2809(C), 13-3102(M), 13-3407(B).

¶5 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) (stating *Anders* requires court to search record for fundamental error). Accordingly, we affirm Nino's convictions and sentences.