

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

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THE STATE OF ARIZONA,  
*Respondent,*

*v.*

RONALD LESLIE MURRAY,  
*Petitioner.*

No. 2 CA-CR 2014-0161-PR  
Filed September 16, 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NOT FOR PUBLICATION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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Petition for Review from the Superior Court in Cochise County

No. CR89000193

The Honorable John F. Kelliher Jr., Judge

**REVIEW DENIED**

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Ronald Leslie Murray, Florence  
*In Propria Persona*

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**MEMORANDUM DECISION**

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

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ESPINOSA, Judge:

¶1 Petitioner Ronald Murray seeks review of the trial court's order denying various motions filed in his criminal case, including a "Motion for Release of Lien on Real Property" and a motion pursuant to Rule 60(c), Ariz. R. Civ. P. We will not reverse a trial court's rulings in post-conviction proceedings "absent a clear abuse of discretion." *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). Murray has not sustained his burden of establishing such abuse here.

¶2 After a jury trial, Murray was convicted of kidnapping, sexual assault, robbery, and two counts of theft by control. The trial court sentenced him to concurrent and consecutive prison terms totaling forty-two years. Murray's convictions and sentences were affirmed on appeal, *State v. Murray*, No. 2 CA-CR 89-0564 (memorandum decision filed Aug. 2, 1990), and he subsequently sought post-conviction relief in at least a dozen proceedings.

¶3 In February 2014, Murray filed three separate motions, requesting discovery in relation to certain bonds and securities, the release of a lien on real property, and seeking to vacate judgment pursuant to Rule 60(c), Ariz. R. Civ. P., claiming fraud in relation to his criminal conviction, particularly as to a "security which is providing an income stream to the court." Stating it could not "fathom [Murray's] . . . pleadings," the trial court denied the motions.

¶4 Murray then filed in this court a document entitled "Petition for Review/Appeal," again raising claims about a particular security and arguing the trial court had a conflict of

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interest and had erred in rejecting his motions. Like the trial court, we do not fully understand Murray's motions or petition for review. But Rule 60(c) does not apply to a criminal action, so the trial court properly denied Murray's motions insofar as he sought relief under that rule. *See* Ariz. R. Civ. P. 1 (civil rules apply in cases "of a civil nature"). And to the extent Murray's motions raised claims of fraud, such claims cannot be raised in a post-conviction criminal proceeding, but must be pled with particularity in a civil action. *See* Ariz. R. Civ. P. 9(b). Therefore, the trial court properly dismissed Murray's motions on that ground as well.

¶5 No cognizable claims having been raised, review is denied.