

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

TONY ABREGO,
Appellant.

No. 2 CA-CR 2014-0201
Filed November 24, 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NOT FOR PUBLICATION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 Pima County
No. CR20133333001
The Honorable Brenden J. Griffin, Judge

AFFIRMED

COUNSEL

Lori J. Lefferts, Pima County Public Defender
By Michael J. Miller, Assistant Public Defender, Tucson
Counsel for Appellant

STATE v. ABREGO
Decision of the Court

MEMORANDUM DECISION

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

ECKERSTROM, Chief Judge:

¶1 Following a jury trial, appellant Tony Abrego was convicted of reckless child abuse, a domestic violence offense. The trial court suspended the imposition of sentence and placed Abrego on standard probation for three 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), asserting he has reviewed the entire record but found no “arguably meritorious issue to raise on appeal.” He asks this court to search the record for fundamental error. Abrego has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the jury’s verdict, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), the evidence established that in July 2013 Abrego repeatedly spanked his then five-year-old son with his hand, and later with a shoe, causing “extensive bruising to [his son’s] buttocks.” We conclude ample evidence supported the jury’s finding of guilt, *see* A.R.S. §§ 13-3623(B)(2), 13-3601(A)(4), and the term of probation was within the statutory limit, *see* A.R.S. § 13-902 (E).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have found none. *See State v. Fuller*, 143 Ariz. 571, 575, 694 P.2d 1185, 1189 (1985). Therefore, we affirm Abrego’s conviction and term of probation.