

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

JUSTIN LEE SPARKS,
Appellant.

No. 2 CA-CR 2014-0407
Filed September 18, 2015

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NOT FOR PUBLICATION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.

Appeal from the Superior Court in Pima County
No. CR20134282001
The Honorable Danelle B. Liwski, Judge

AFFIRMED

COUNSEL

Steven R. Sonenberg, Pima County Public Defender
By Frank P. Leto, Assistant Public Defender, Tucson
Counsel for Appellant

STATE v. SPARKS
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 Justin Sparks was convicted after a jury trial of theft of a means of transportation and third-degree burglary. The trial court suspended the imposition of sentence and placed Sparks on concurrent, four-year terms of probation for each offense.

¶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 he 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, he 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. Sparks 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 here. In September 2013, Sparks took the victim’s truck without permission, abandoning it a few days later. *See* A.R.S. §§ 13-1506(A)(1), 13-1814(A)(1). The terms of his probation are authorized by statute and were imposed in a lawful manner. *See* A.R.S. §§ 13-901(A), (B), 13-902(A)(2), (3), 13-1506(B), 13-1814(D).

¶4 Pursuant to our obligation under *Anders*, we have searched the record for fundamental 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 Sparks’s convictions and disposition.