

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

RYAN LEE SANDOVAL,
Appellant.

No. 2 CA-CR 2015-0079
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NOT FOR PUBLICATION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. CR20140284001
The Honorable Howard Fell, Judge Pro Tempore

AFFIRMED

COUNSEL

Steven R. Sonenberg, Pima County Public Defender
By Erin K. Sutherland, Assistant Public Defender, Tucson
Counsel for Appellant

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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 Ryan Sandoval was convicted of aggravated driving under the influence of an intoxicant (DUI) and aggravated driving with an alcohol concentration (BAC) of .08 or more, both after having committed or having been convicted of two or more prior DUI offenses in the previous eighty-four months. The trial court sentenced him to “partially mitigated,” concurrent prison terms of 1.25 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), stating she has reviewed the record and has found no “arguable legal issues to raise on appeal.” Counsel has asked us to search the record for reversible error. Sandoval has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the verdict, the evidence was sufficient to support the jury’s finding of guilt. See *State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999). The evidence presented at trial showed that when a police officer stopped Sandoval’s vehicle after he was seen driving on the wrong side of the road, Sandoval exhibited symptoms of alcohol consumption, exhibited cues of impairment on a field sobriety test, delayed further field tests to the point the officer deemed him to have refused additional tests, and blood testing showed he had a BAC of .214. Sandoval also stipulated that he had two DUI convictions within the previous eighty-four months. We further conclude the sentence imposed is within the statutory limit. See A.R.S. §§ 13-703(A), (H); 28-1381(A)(1); 28-1381(A)(2); 28-1383(A)(2).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have

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found none. Therefore, Sandoval's convictions and sentences are affirmed.