

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

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THE STATE OF ARIZONA,  
*Respondent,*

*v.*

RAYMOND ANDREW BIANCO,  
*Petitioner.*

No. 2 CA-CR 2015-0143-PR  
Filed May 27, 2015

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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NOT FOR PUBLICATION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)(1); Ariz. R. Crim. P. 31.24.*

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Petition for Review from the Superior Court in Maricopa County  
No. CR2007009026001DT  
The Honorable Janet E. Barton, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

William G. Montgomery, Maricopa County Attorney  
By Catherine Leisch, Deputy County Attorney, Phoenix  
*Counsel for Respondent*

Droban & Company, PC, Anthem  
By Kerrie M. Droban  
*Counsel for Petitioner*

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**MEMORANDUM DECISION**

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

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ECKERSTROM, Chief Judge:

¶1 Raymond Bianco seeks review of the trial court’s order denying his petition for post-conviction relief, filed pursuant to Rule 32, Ariz. R. Crim. P. “We will not disturb a trial court’s ruling on a petition for post-conviction relief absent a clear abuse of discretion.” *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). Bianco has not met his burden of demonstrating such abuse here.

¶2 After a jury trial, Bianco was convicted of first-degree murder and conspiracy to commit first-degree murder. The trial court imposed a natural-life sentence for murder and life without the possibility of release for twenty-five years for conspiracy. We affirmed his convictions and sentences on appeal. *State v. Bianco*, No. 1 CA-CR 10-1018 (memorandum decision filed Sept. 25, 2012).

¶3 Bianco then sought post-conviction relief, arguing: (1) trial counsel had been ineffective in failing to timely file a motion for new trial or motion to vacate the judgment to raise issues related to perjury by a witness that a different trial court found had made false statements in violation of her plea agreement; (2) he received “ineffective assistance of trial counsel” due to the “acrimonious relationship” between his counsel and the prosecutor; (3) the witness’s perjury constituted newly discovered evidence; (4) appellate counsel was ineffective for failing to argue on appeal that the trial court had made improper comments on the evidence; and (5) the prosecutor had committed misconduct. The trial court summarily denied relief, and this petition for review followed.

¶4 On review, Bianco presents a cursory and incomplete summary of the trial court’s ruling and asserts, without explanation,

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that he “presented ample support for his allegations” in his petition for post-conviction relief and that we therefore should grant relief on review. In denying relief, the court provided a detailed account of each of Bianco’s claims, reviewed the testimony it heard at trial, and explained in similar detail its reasons for rejecting the claims. But Bianco does not develop any argument that the court abused its discretion in doing so, instead merely restating verbatim several of his claims – including citations to appendices that he did not include with his petition for review. *See* Ariz. R. Crim. P. 32.9(c)(1) (petition for review must contain “reasons why the petition should be granted” and either appendix or “specific references to the record,” but shall not “incorporate any document by reference, except the appendices”). He has therefore waived review of those claims, and we do not address them further. *Cf. State v. Bolton*, 182 Ariz. 290, 298, 896 P.2d 830, 838 (1995) (insufficient argument waives claim on review).

¶5           Although we grant review, we deny relief.