

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

---

THE STATE OF ARIZONA,  
*Appellee,*

*v.*

MARIA JESUS RIOS,  
*Appellant.*

No. 2 CA-CR 2015-0156  
Filed January 7, 2016

---

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NOT FOR PUBLICATION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. CR20142566001  
The Honorable Carmine Cornelio, Judge

**AFFIRMED**

---

COUNSEL

Emily Danies, Tucson  
*Counsel for Appellant*

STATE v. RIOS  
Decision of the Court

---

**MEMORANDUM DECISION**

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

---

ECKERSTROM, Chief Judge:

¶1 After a jury trial, Maria Rios was convicted of possession of at least four pounds of marijuana for sale, possession of drug paraphernalia, and second-degree money laundering. The trial court sentenced Rios to concurrent prison terms, the longest of which were 6.5 years.

¶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 she 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, she 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 fundamental error. Rios has filed a supplemental brief in which she challenges testimony presented at trial that she had told a police detective during an investigation into other matters that she dated and lived with drug dealers to “benefit [her] kids and . . . make sure that [they] are taken care of” financially.

¶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 February 2014, Rios (who was on release for a pending felony charge at the time) took a car that was for sale for a test drive but did not return; the car’s owner later saw his car in a locked yard at Rios’s residence and contacted police. Police officers found over two hundred pounds of burlap-wrapped marijuana in the car and found in the house approximately \$18,000 in cash,

STATE v. RIOS  
Decision of the Court

“dozens and dozens if not hundreds of receipts” for cash purchases, as well as drug ledgers. *See* A.R.S. §§ 13-2317(B), 13-3405(A)(2), 13-3415(A).<sup>1</sup> The evidence supported the trial court’s finding that Rios was a category-two repetitive offender, and her prison terms are within the statutory limits and were imposed properly. *See* A.R.S. §§ 13-703(B), (I); 13-708(D); 13-2317(B), (E); 13-3405(B)(6); 13-3415(A).

¶4 In her supplemental brief, Rios seems to argue that she did not tell a police detective that she associated with drug dealers or, alternatively, that she had made the statement under duress and it had improperly been used against her in more than one criminal prosecution. But Rios did not testify at trial and did not otherwise contradict the detective’s testimony and, in any event, it was for the jury to determine the credibility of that testimony. *See State v. Bernstein*, 237 Ariz. 226, ¶ 18, 349 P.3d 200, 204 (2015). Moreover, Rios has not identified any evidence she made the statement under duress, nor is there any legal basis to preclude evidence merely because it had been presented in a previous prosecution.

¶5 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). And we have rejected the arguments Rios made in her supplemental brief. Accordingly, we affirm her convictions and sentences.

---

<sup>1</sup>We cite the current versions of all statutes referred to in this decision, which have not changed in material part since Rios committed her offenses.