

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Respondent,

v.

AARON WAYNE EDMOND,
Petitioner.

No. 2 CA-CR 2016-0064-PR
Filed April 6, 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NOT FOR PUBLICATION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.

Petition for Review from the Superior Court in Coconino County
No. CR201300241
The Honorable Jacqueline Hatch, Judge

REVIEW GRANTED; RELIEF DENIED

Aaron Edmond, San Luis
In Propria Persona

STATE v. EDMOND
Decision of the Court

MEMORANDUM DECISION

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

V Á S Q U E Z, Presiding Judge:

¶1 Aaron Edmond seeks review of the trial court’s ruling summarily denying his petition for post-conviction relief filed pursuant to Rule 32, Ariz. R. Crim. P. We will not disturb that order unless the court clearly abused its discretion. *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). Edmond has not met his burden of demonstrating such abuse here.

¶2 Edmond pled guilty to transportation of marijuana for sale and was sentenced to a five-year prison term. He sought post-conviction relief, arguing his trial counsel had been ineffective in arguing for a lesser sentence and that there was newly discovered evidence relevant to his sentence. He also argued the criminal restitution order (CRO) entered at sentencing was improper. The trial court vacated the CRO but otherwise summarily denied relief. This pro se petition for review followed.

¶3 On review, Edmond abandons the arguments raised in his petition below and argues, for the first time, that the investigatory stop leading to his arrest violated his Fourth Amendment rights. Edmond also asserts for the first time that the prosecutor committed misconduct by charging him with transportation of marijuana for sale, “a crime he did not commit.” We do not address arguments not raised in the trial court. *See State v. Ramirez*, 126 Ariz. 464, 468, 616 P.2d 924, 928 (App. 1980).

¶4 Although review is granted, relief is denied.