

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Respondent,

v.

MICHAEL WAYNE HADLEY,
Petitioner.

No. 2 CA-CR 2016-0238-PR
Filed August 2, 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NOT FOR PUBLICATION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 Yavapai County
No. P1300CR201000879
The Honorable Celé Hancock, Judge

REVIEW DENIED

COUNSEL

Sheila Sullivan Polk, Yavapai County Attorney
By Steven A. Young, Deputy County Attorney, Prescott
Counsel for Respondent

Michael Wayne Hadley, Florence
In Propria Persona

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MEMORANDUM DECISION

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

M I L L E R, Judge:

¶1 Michael Hadley petitions this court for review of the trial court's order summarily denying his petition for post-conviction relief, filed pursuant to Rule 32, Ariz. R. Crim. P. We deny review.

¶2 After a jury trial, Hadley was convicted of attempted child molestation, three counts of sexual conduct with a minor, and one count each of sexual abuse and continuous sexual abuse based on his years of sexual misconduct with his stepdaughter. The trial court sentenced him to consecutive prison terms totaling eighty years. We affirmed his convictions and sentences on appeal. *State v. Hadley*, No. 1 CA-CR 12-0026 (Ariz. App. Oct. 30, 2012) (mem. decision).

¶3 Hadley sought post-conviction relief, and appointed counsel filed a notice stating he had reviewed the record but found no claims to raise pursuant to Rule 32. Hadley then filed a pro se petition claiming some witnesses, including the victim, had colluded with the state and presented false testimony and that his counsel failed to present sufficient evidence that he had contributed financially to the family. The trial court summarily denied relief, and this petition for review followed.

¶4 Hadley's petition for review contains only a cursory description of the issues decided by the trial court and the relevant facts. He provides no citation to the record or relevant authority.

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And he does not explain how the court¹ abused its discretion in rejecting his claims, as required by Rule 32.9(c)(1). Hadley's failure to comply with Rule 32.9 justifies our summary refusal to grant 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"), (f) (appellate review under Rule 32.9 discretionary); see also *State v. Stefanovich*, 232 Ariz. 154, ¶ 16, 302 P.3d 679, 683 (App. 2013) (insufficient argument waives claim on review); *State v. French*, 198 Ariz. 119, ¶ 9, 7 P.3d 128, 131 (App. 2000) (summarily rejecting claims not complying with rules governing form and content of petitions for review), *disapproved on other grounds by Stewart v. Smith*, 202 Ariz. 446, ¶ 10, 46 P.3d 1067, 1071 (2002).

¶5 We deny review.

¹In his petition for review, Hadley refers to errors by the "Court of Appeals." To the extent he challenges our decision on appeal rather than the trial court's summary denial of his petition for post-conviction relief, he was required to raise those issues in a timely petition for review pursuant to Rule 31.19.