



SCOTT BALES
CHIEF JUSTICE

JANET JOHNSON
CLERK OF THE COURT

Supreme Court

STATE OF ARIZONA
ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007-3231

TELEPHONE: (602) 452-3396

September 4, 2018

RE: STATE OF ARIZONA v. ANTHONY JAMES MERRICK, III

Arizona Supreme Court No. CR-18-0072-PR

Court of Appeals, Division One No. 1 CA-CR 15-0596 PRPC

Maricopa County Superior Court No. CR2010-005367-001

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on August 31, 2018, in regard to the above-referenced cause:

ORDERED: Petition for Review = DENIED.

Janet Johnson, Clerk

TO:

Joseph T Maziarz

Lisa Marie Martin

Anthony James Merrick III, ADOC 051614, Arizona State Prison,
Yuma - Cibola Unit

Amy M Wood

kd

Enclosures

Supreme Court No. CR-18-0072-PR

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cc:

Joseph T Maziarz

Lisa Marie Martin

Anthony James Merrick III, ADOC 051614, Arizona State Prison,
Yuma - Cibola Unit

NOTICE: NOT FOR OFFICIAL PUBLICATION.
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL
AND MAY BE CITED ONLY AS AUTHORIZED BY RULE.

IN THE
ARIZONA COURT OF APPEALS
DIVISION ONE

STATE OF ARIZONA, *Respondent*,

v.

ANTHONY JAMES MERRICK, III, *Petitioner*.

No. 1 CA-CR 15-0596 PRPC

FILED 12-26-2017

Petition for Review from the Superior Court in Maricopa County
No. CR2010-005367-001
The Honorable Janet E. Barton, Judge

REVIEW GRANTED; RELIEF DENIED

COUNSEL

Maricopa County Attorney's Office, Phoenix
By Lisa Marie Martin
Counsel for Respondent

Anthony James Merrick, III, San Luis
Petitioner

MEMORANDUM DECISION

Presiding Judge Kenton D. Jones, Judge Jon W. Thompson, and Judge Jennifer M. Perkins delivered the decision of the Court.

STATE v. MERRICK
Decision of the Court

PER CURIAM:

¶1 Petitioner Anthony Merrick III seeks review of the superior court's order denying his petition for post-conviction relief, filed pursuant to Arizona Rule of Criminal Procedure 32.1. This is the petitioner's first petition.

¶2 Absent an abuse of discretion or error of law, this Court will not disturb a superior court's ruling on a petition for post-conviction relief. *State v. Gutierrez*, 229 Ariz. 573, 576-77, ¶ 19 (2012). It is the petitioner's burden to show that the superior court abused its discretion in denying the petition. *See State v. Poblete*, 227 Ariz. 537, 538, ¶ 1 (App. 2011).

¶3 We have reviewed the record in this matter, the superior court's order denying the petition for post-conviction relief, and the petition for review. We find that petitioner has not shown any abuse of discretion.

¶4 Accordingly, we grant review and deny relief.



AMY M. WOOD • Clerk of the Court
FILED: AA

IN THE
COURT OF APPEALS

STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 1/23/18
AMY M. WOOD,
CLERK
BY: RB

STATE OF ARIZONA,) Court of Appeals
) Division One
 Respondent,) No. 1 CA-CR 15-0596 PRPC
)
 v.) Maricopa County
) Superior Court
 ANTHONY JAMES MERRICK, III,) No. CR2010-005367-001
)
 Petitioner.)
)
)

ORDER DENYING MOTION FOR RECONSIDERATION

The court, Presiding Judge Kenton D. Jones and Judge Jon W. Thompson and Jennifer M. Perkins participating, has considered Petitioner's Motion for Panel Reconsideration of its Order Dated December 26, 2017. After Consideration,

IT IS ORDERED denying the Petitioner's motion.

/S/

KENTON D. JONES, PRESIDING JUDGE

A copy of the foregoing
was sent to:

Lisa Marie Martin
Anthony James Merrick III ADOC 051614 (mailed)