NOTICE: NOT FOR PUBLICATION.
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED EXCEPT AS AUTHORIZED.

IN THE
ARIZONA COURT OF APPEALS
DIVISION ONE

STATE OF ARIZONA, *Appellee*,

v.

TELLY ONTURIO BEASLEY, *Appellant*.

No. 1 CA-CR 13-0592
FILED 09-18-2014

Appeal from the Superior Court in Maricopa County
No. CR2012-007326-001
The Honorable Jeanne M. Garcia, Judge

AFFIRMED

COUNSEL

Arizona Attorney General's Office, Phoenix
By Craig W. Soland
Counsel for Appellee

Maricopa County Public Defender's Office, Phoenix
By Louise Stark
Counsel for Appellant

MEMORANDUM DECISION

Chief Judge Diane M. Johnsen delivered the decision of the Court, in which Presiding Judge Jon W. Thompson and Judge Kenton D. Jones joined.

J O H N S E N, Judge:

¶1 Telly Onturio Beasley appeals his convictions and sentences for four counts of forgery and one count of possession or use of marijuana. We have jurisdiction of Beasley's timely appeal pursuant to Article 6, Section 9, of the Arizona Constitution, and Arizona Revised Statutes ("A.R.S.") sections 12-120.21(A)(1) (2014), 13-4031 (2014) and -4033 (2014).[1].

DISCUSSION

¶2 The sole issue on appeal is whether sufficient evidence supports one of the forgery convictions. Beasley argues there was no evidence he "offered or presented" check number 1482, the check underlying his conviction on count 1. *See* A.R.S. § 13–2002(A)(3) (2014) ("A person commits forgery if, with intent to defraud, the person . . . [o]ffers or presents, whether accepted or not, a forged instrument or one that contains false information.").

¶3 To the contrary, the record unequivocally establishes that Beasley presented check number 1482. Indeed, Beasley admitted at trial that he did so. Additionally, when police officers arrested Beasley at a check cashing business, the store's manager gave them the check Beasley had endorsed. This evidence is sufficient for a rational jury to find beyond a reasonable doubt that Beasley presented check number 1482. *See State v. Tison*, 129 Ariz. 546, 553, 633 P.2d 355, 362 (1981) (evidence is sufficient when a rational trier of fact could find that it supports a defendant's guilt beyond a reasonable doubt).

[1] Absent material revision after the date of the alleged offense, we cite a statute's current version.

CONCLUSION

¶4 For the reasons stated, we affirm Beasley's convictions and sentences.



Ruth A. Willingham · Clerk of the Court
FILED: gsh