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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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**

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STATE OF ARIZONA, *Respondent*,

*v.*

CLARENCE ANDREW TULL, *Petitioner*.

No. 1 CA-CR 18-0228 PRPC
FILED 7-24-18

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Petition for Review from the Superior Court in Maricopa County
No. CR2011-123789-016
The Honorable Sherry K. Stephens, Judge

**REVIEW GRANTED; RELIEF DENIED**

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COUNSEL

Maricopa County Attorney's Office, Phoenix
By Diane Meloche
*Counsel for Respondent*

Law Offices of Thomas E. Higgins, Tucson
By Thomas E. Higgins, Jr.
*Counsel for Petitioner*

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**MEMORANDUM DECISION**

Presiding Judge Kenton D. Jones, Judge Michael J. Brown, and Judge Jon W. Thompson delivered the decision of the Court.

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**P E R  C U R I A M**:

**¶1** Petitioner Clarence Tull 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: JT