

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

LORETO VALENZUELA LOPEZ, *Petitioner*.

No. 1 CA-CR 14-0644 PRPC
FILED 9-20-2016

Petition for Review from the Superior Court in Maricopa County
No. CR2008-108965-002 DT
The Honorable James T. Blomo, Judge

REVIEW GRANTED; RELIEF DENIED

APPEARANCES

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

Loreto Valenzuela Lopez, Buckeye
Petitioner Pro Se

MEMORANDUM DECISION

Presiding Judge Andrew W. Gould delivered the decision of the Court in
which Judge Peter B. Swann and Judge Patricia A. Orozco joined.

STATE v. LOPEZ
Decision of the Court

G O U L D, Judge:

¶1 Loreto Valenzuela Lopez petitions for review of the summary dismissal of his second post-conviction relief proceeding. We have considered the petition for review and, for the reasons stated, grant review and deny relief.

¶2 After a jury trial, Lopez was convicted of kidnapping, theft by extortion, and aggravated assault, and sentenced to concurrent and consecutive prison terms totaling twenty-one years. This court affirmed Lopez's convictions and sentences on appeal. *State v. Lopez*, 1 CA-CR 11-0114 (Ariz. App. July 24, 2012) (mem. decision). Lopez commenced a timely proceeding for post-conviction relief in 2012, which was summarily dismissed.

¶3 In December 2013, Lopez commenced an untimely second proceeding for post-conviction relief, stating he intended to raise a claim of actual innocence and asserting that his failure to file a pro se brief/petition for post-conviction relief was through no fault of his own. In summarily dismissing the proceeding, the superior court issued a ruling that clearly identified, fully addressed, and correctly resolved Lopez's claims. Under these circumstances, we need not repeat that court's analysis here; instead, we adopt it. *See State v. Whipple*, 177 Ariz. 272, 274 (App. 1993) (holding when superior court rules "in a fashion that will allow any court in the future to understand the resolution[, n]o useful purpose would be served by this court rehashing the trial court's correct ruling in [the] written decision").

¶4 Accordingly, although we grant review, we deny relief.



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