

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  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

LUIS ALBERTO ECHEVERRIA, *Petitioner*.

No. 1 CA-CR 14-0647 PRPC  
FILED 9-20-2016

---

Petition for Review from the Superior Court in Maricopa County  
No. CR2012-117598-001  
The Honorable Jeanne M. Garcia, Judge

**REVIEW GRANTED; RELIEF DENIED**

---

COUNSEL

Maricopa County Attorney's Office, Phoenix  
By Susan L. Luder  
*Counsel for Respondent*

Luis Alberto Echeverria, San Luis  
*Petitioner Pro Per*

STATE v. ECHEVERRIA  
Decision of the Court

---

**MEMORANDUM DECISION**

Judge Jon W. Thompson delivered the decision of the Court, in which Presiding Judge Diane M. Johnsen and Chief Judge Michael J. Brown joined.

---

**T H O M P S O N**, Judge:

¶1 Petitioner Luis Alberto Echeverria petitions this court for review from the summary dismissal of his petition for post-conviction relief of-right. Echeverria pled guilty to manslaughter and the trial court sentenced him to fourteen years' imprisonment. Echeverria argues his trial counsel was ineffective when counsel told Echeverria he would receive no more than 10.5 years' imprisonment.

¶2 We deny relief. The plea agreement provided for a sentence of nine to sixteen years' imprisonment and Echeverria told the court at the change of plea hearing that he understood the court could sentence him to any sentence within this range. Echeverria further acknowledged that his attorney explained the plea agreement to him "word for word[.]" Most importantly, Echeverria told the court no one made any additional promises to him to persuade him to accept the plea. A defendant's statements to the court at a change of plea hearing are binding on defendant. *See State v. Hamilton*, 142 Ariz. 91, 93, 688 P.2d 983, 985 (1984).

¶3 While Echeverria presents additional issues, we do not consider those issues because Echeverria did not raise those issues below. *State v. Ramirez*, 126 Ariz. 464, 467, 616 P.2d 924, 927 (App. 1980); *State v. Wagstaff*, 161 Ariz. 66, 71, 775 P.2d 1130, 1135 (App. 1988); *State v. Bortz*, 169 Ariz. 575, 577, 821 P.2d 236, 238 (App. 1991); Ariz. R. Crim. P. 32.9(c)(1)(ii).

¶4 We grant review but deny relief.



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