

IN THE
SUPREME COURT OF THE STATE OF ARIZONA

THE STATE OF ARIZONA,
Appellee,

v.

EFREN MEDINA,
Appellant.

No. CR-10-0031-AP
Filed August 22, 2013

Appeal from the Superior Court in Maricopa County
The Honorable Christopher T. Whitten, Judge
No. CR1993-008378

AFFIRMED

COUNSEL:

Thomas C. Horne, Arizona Attorney General, Kent E. Cattani, former Chief Counsel, Criminal Appeals/Capital Litigation, Jeffrey A. Zick, Chief Counsel, Criminal Appeals/Capital Litigation, John Pressley Todd, Assistant Attorney General (argued), Phoenix, for State of Arizona

David Goldberg, Attorney at Law (argued), Fort Collins, CO, for Efren Medina

JUSTICE ROBERT BRUTINEL authored the opinion of the Court, in which CHIEF JUSTICE BERCH, VICE CHIEF JUSTICE BALES, JUSTICE PELANDER, and JUSTICE TIMMER joined.

JUSTICE BRUTINEL, opinion of the Court:

¶1 Efren Medina was convicted in 1995 of first degree murder, third degree burglary, and aggravated robbery. The trial judge sentenced him to death for the murder and to prison terms for the other crimes, and we affirmed on appeal. *State v. Medina*, 193 Ariz. 504, 975 P.2d 94 (1999). In 2003, the trial court granted Medina's petition for post-conviction relief ("PCR"), which had alleged ineffective assistance of counsel at sentencing,



Supreme Court
STATE OF ARIZONA

FROM THE CHAMBERS OF
ROBERT M. BRUTINEL
JUSTICE

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September 3, 2013

Janet Johnson, Clerk
Arizona Supreme Court Clerk's Office
1501 West Washington Street
Phoenix, Arizona 85007

Re: *State v Efren Medina*
No. CR-10-0031-AP
Opinion Filed: August 22, 2013

Dear Janet:

The following is a correction to the Opinion noted above.

Caption:

THE STATE OF ARIZONA,
Petitioner/Appellant,

v.

EFREN MEDINA,
Respondent/Appellee.

Corrected, it should read as follows:

... THE STATE OF ARIZONA,
Appellee

v.

EFREN MEDINA,
Appellant.

September 3, 2013
Janet Johnson, Clerk
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Attached please find the corrected page to be inserted into the original Opinion on file with the Clerk's Office. I will electronically transmit a corrected version of the Opinion for uploading to the Supreme Court's Web page after the incorrect version is deleted. Please notify the appropriate parties to this matter.

I will advise Thomson West Publishing of the corrected version for uploading to its web.

Thank you for your prompt attention to this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Tina M. Fortune".

Tina M. Fortune, Judicial Assistant to
Justice Robert M. Brutinel