



**ARIZONA SUPREME COURT  
ORAL ARGUMENT CASE SUMMARY**



**STATE V. MAURICIO MORALES, CR-06-0374-PR**

**PARTIES AND COUNSEL:**

*Petitioner:* Mauricio Morales, represented by Tennie B. Martin, Deputy Public Defender.

*Respondent:* State of Arizona, represented by Randall Howe and Diane M. Acosta, Assistant Attorneys General.

**FACTS:**

A jury convicted Mauricio Morales of hindering prosecution, a class 5 felony. The trial court imposed the presumptive sentence of 5 years in prison. Mr. Morales was sentenced pursuant to A.R.S. § 13-604(C) which provides that a person convicted of a class 5 felony offense, who has two or more historical prior felony convictions, shall be sentenced within the following range: 4 years minimum, 5 years presumptive, and 6 years maximum.

On appeal, Mr. Morales argued that the trial court improperly relied on his trial counsel's stipulations regarding prior convictions and probation status, and failed to follow the procedure required by Rules 17.2 and 17.6, Ariz. R. Crim. P., and State v. Anderson, 199 Ariz. 187 (App. 2000), which provide that before accepting a defendant's admission to a prior conviction, a trial court must advise the defendant of the nature of the allegation, the effect of admitting the allegation on the defendant's sentence, and the defendant's right to proceed to trial and require the State to prove the allegation. The Court of Appeals affirmed the conviction and sentence, finding that Mr. Morales failed to demonstrate fundamental error and prejudice, with one judge dissenting.

**ISSUES:** “Did the trial court improperly accept the reported 'stipulation' concerning Appellant's prior convictions and probation status?”

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