

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UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL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

WADE NOLAN CLAY, *Petitioner*.

No. 1 CA-CR 18-0463 PRPC
FILED 9-13-2018

Petition for Review from the Superior Court in Mohave County
No. S8015CR13572
The Honorable Richard D. Lambert, Judge

REVIEW GRANTED; RELIEF DENIED

COUNSEL

Mohave County Attorney's Office, Kingman
By Reed Weisberg
Counsel for Respondent

C. Kenneth Ray II, P.L.L.C., Prescott
C. Kenneth Ray II
Counsel for Petitioner

STATE v. CLAY
Decision of the Court

MEMORANDUM DECISION

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

PER CURIAM:

¶1 Wade Clay seeks review of the superior court's order dismissing his petition for post-conviction relief, filed pursuant to Arizona Rule of Criminal Procedure 32.1. This is the petitioner's first successive 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 the petitioner has not shown any abuse of discretion.

¶4 Accordingly, we grant review and deny relief.



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