

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,) Arizona Supreme Court
) No. CR-13-0114-PR
 Appellee,)
) Court of Appeals
 v.) Division One
) No. 1 CA-CR 12-0088
 DOUGLAS EDWARD FUQUA,)
) Coconino County
 Appellant.) Superior Court
) No. CR2011-00315
)
 _____)

FILED 10/29/2013

O R D E R

The Court has considered Appellant Fuqua's "Petition for Review to Arizona Supreme Court" and the "State of Arizona's Response to Petition for Review." Upon consideration,

IT IS ORDERED granting review as to Issue A in the Petition for Review.

IT IS FURTHER ORDERED reversing and vacating paragraphs 33-35 of the Memorandum Decision issued in this matter by the Arizona Court of Appeals, Division One, on March 21, 2013, which affirms the trial court's imposition of flat time sentences.

IT IS FURTHER ORDERED remanding the matter to the trial court for resentencing on each of the sentences ordered to be served day for day, or flat time.

IT IS FURTHER ORDERED denying review of Issue B.

DATED this 29th day of October, 2013.

Rebecca White Berch
Chief Justice

TO:

Joseph T Maziarz

Linley Wilson

H Allen Gerhardt Jr

Ruth Willingham

Douglas Edward Fuqua, ADOC# 166925, Arizona State Prison, Lewis -
Stiner Blue

Robert L Ellman

Hon. Mark Moran

Hon. Joseph Lodge

Deborah Young