

COURT OF APPEALS, DIVISION ONE

BRIEFS

SECTION 2

1 CA-CR 7434

STATE OF ARIZONA

Appellee,

VS

RONALD RAYMOND GELINAS,

Appellant.

IN MARICOPA COUNTY  
SUPERIOR COURT  
No. CR-132823

TRANSMITTAL DATE:

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**ORIGINAL**  
IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE

STATE OF ARIZONA, )  
 )  
 Appellee, )  
 )  
 v. )  
 )  
 RONALD RAYMOND GELINAS, )  
 )  
 Appellant. )  
 \_\_\_\_\_ )

*7434*  
No. 1 CA-CR ~~7437~~  
  
Maricopa County  
Superior Court  
No. CR-132823

APPELLANT'S OPENING BRIEF

DIVISION 1  
COURT OF APPEALS  
ARIZONA  
  
DEC 21 1983  
  
*[Signature]* CLERK

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COMPLIANCE WITH ANDERS V. CALIFORNIA

Ronald Raymond Gelinis was charged by indictment filed April 5, 1983 with one count of Fraudulent Use of Credit Card and four counts of Forgery, all class 6 felonies. On May 31, 1983, the State filed allegation of prior convictions pursuant to A.R.S. §13-604 as construed by State v. Hannah, 126 Ariz. 578, 617 P.2d 530, and also alleged that Appellant was on parole on a felony conviction in New Hampshire.

On August 9, 1983, Appellant entered a plea of guilty to two counts of Forgery, class 6, non-repetitive, in violation of A.R.S. §13-604.01 on a plea agreement that stipulated a sentence of 1.5 years on each count, providing that the sentences may be consecutive to each other and both would have to be consecutive to the sentence if any arising from the New Hampshire conviction. In the written agreement and at the time of the plea, Appellant was advised that he would have to serve any sentence imposed in full without benefit of parole, commutation of sentence or release on any basis whatsoever.

By the time of sentence, it was determined that the State of New Hampshire did not intend to revoke parole. On September 14, 1983, the court imposed a sentence of 1.5 years on each count, the sentences to run consecutively. Credit for one day jail time was granted.

This brief is filed in compliance with Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967) and State v. Leon, 104 Ariz. 297, 451 P.2d 878 (1969). The court is requested to search the entire record for error. A.R.S. §13-4035.

Respectfully submitted,

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Maricopa County Public Defender

By   
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TWO COPIES of Appellant's Opening Brief mailed this 21 day of December, 1983 to ROBERT K. CORBIN, Attorney General of Arizona, 1275 West Washington, Criminal Division, Second Floor, Phoenix, Arizona, 85007.

ONE COPY of Appellant's Opening Brief mailed this 21 day of December, 1983 to RONALD RAYMOND GELINAS, #48362, ACTC - Perryville, San Juan Unit, P. O. Box 3300, Goodyear, Arizona, 85338.

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