

COURT OF APPEALS, DIVISION ONE

BRIEFS

SECTION 2

1 CA-CR 6705

STATE OF ARIZONA

v.

DENNIS LANE CALVERY

**MARICOPA COUNTY
SUPERIOR COURT
NO. CR 130112**

TRANSMITTAL DATE

ORIGINAL

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

STATE OF ARIZONA,

Appellee,

v.

DENNIS LANE CALVERY,

Appellant.

No. 1 CA-CR 6705

Maricopa County Superior Court
No. CR-130112

APPELLANT'S OPENING BRIEF

ROSS P. LEE
Maricopa County Public Defender

H. ALLEN GERHARDT
Deputy Public Defender
Attorney for Appellant
132 South Central, 2nd Floor
Phoenix, Arizona 85004

DIVISION 1
COURT OF APPEALS
STATE OF ARIZONA

FILED APR - 6 1983

GLEN D. CLARK, CLERK

By W. S. Lee

5-2-83

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STATEMENT OF THE CASE

By information of November 18, 1982, Appellant was charged with Theft, a class four (4) felony. It should be noted that the body of the information indicates its date as May 18, 1982. Appellant entered a plea of guilty to the charge on November 24, 1982.

Sentencing was held on December 6, 1982. At that time Appellant was sentenced to serve four (4) years imprisonment dating from the date of sentencing. No credit was given for presentence incarceration.

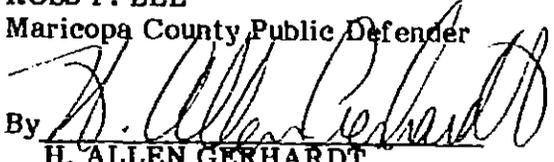
A timely notice of appeal was filed on December 8, 1982. The appeal is brought from the judgment of conviction and sentence imposed.

COMPLIANCE WITH ANDERS V. CALIFORNIA

Counsel for Appellant has searched the record on appeal pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). No arguable question of law has been found. It is respectfully requested that this Court search the record for fundamental error pursuant to A.R.S. §13-4035. State v. Powell, 5 Ariz.App. 51, 423 P.2d 127 (1967).

Respectfully submitted,

ROSS P. LEE
Maricopa County Public Defender

By 

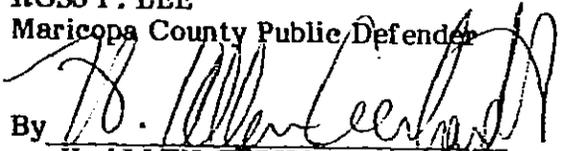
H. ALLEN GERHARDT
Deputy Public Defender
Attorney for Appellant

TWO COPIES of Appellant's Opening Brief mailed this 6 day
of April, 1983, to ROBERT K. CORBIN, Attorney General of Arizona, 1275 W.
Washington, Criminal Division - 2nd Floor, Phoenix, Arizona 85007.

ONE COPY of Appellant's Opening Brief mailed this 6 day
of April, 1983, to DENNIS LANE CALVERY, P.O. Box B-43554, Florence, Arizona
85232.

ROSS P. LEE
Maricopa County Public Defender

By


H. ALLEN GERHARDT
Deputy Public Defender
Attorney for Appellant
132 South Central, 2nd Floor
Phoenix, Arizona 85004

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