

COURT OF APPEALS, DIVISION ONE

BRIEFS

SECTION 2

1 CA-CR 7113

STATE OF ARIZONA

Appellee,

v.

JOSE ALONZO NELO,

Appellant

MARICOPA COUNTY  
SUPERIOR COURT  
NO. CR 13227

TRANSMITTAL DATE

001933

ORIGINAL

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE

STATE OF ARIZONA,

Appellee,

v.

JOSE ALONZO NELO,

Appellant.

No. 1 CA-CR 7113

Maricopa County  
Superior Court  
No. CR-13227

APPELLANT'S OPENING BRIEF

DIVISION 1  
COURT OF APPEALS  
STATE OF ARIZONA

FILED SEP 21 1983

GLEN D. CLARK, CLERK

By *M. Blume*

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10-17-83

TABLE OF CONTENTS

	<u>Page</u>
STATEMENT OF THE CASE	1
COMPLIANCE WITH ANDERS V. CALIFORNIA	2

TABLE OF CITATIONS

	<u>Page</u>
Anders v. California, 386 U.S. 738 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967)	2
State v. Powell, 5 Ariz.App. 51, 423 P.2d 127 (1967)	2
Arizona Revised Statutes, §13-4035	2

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STATEMENT OF THE CASE

Jose Alonzo Nelo, hereinafter referred to as Appellant, entered a plea of guilty to Attempted Burglary First Degree, a class 3 felony, on March 17, 1983. The plea agreement stipulated that Appellant was to receive probation with no limitations as to terms. A court commissioner questioned Appellant pursuant to Rule 17.2 and 17.3, Arizona Rules of Criminal Procedure. A factual basis was found and the plea of guilty was accepted.

On April 13, 1983, pursuant to the plea agreement, Appellant's sentence was suspended for five years and supervised probation imposed. As conditions of probation, Appellant was ordered to serve six months in jail and not to remain or enter the United States illegally. An Official Court Interpreter was present at both proceedings to translate in Spanish for Appellant.

A timely Notice of Appeal was filed on May 2, 1983.

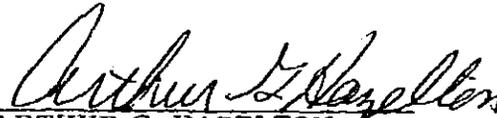
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COMPLIANCE WITH ANDERS V. CALIFORNIA

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 

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TWO COPIES of Appellant's Opening Brief mailed this 21 day of September, 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 September, 1983 to JOSE ALONZO NELO, Maricopa County Jail - Durango Towers, 3127 West Durango, Phoenix, Arizona, 85009

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