

SUPREME COURT OF ARIZONA

In re the Detention of:) Arizona Supreme Court
) No. CV-02-0328-PR
 WILBER W.)
) Court of Appeals
) Division One
) No. 1 CA-MH 01-0008 SP
)
) Mohave County Superior
) Court
) No. CV 2000-0152
)
) **O P I N I O N**
)
)

Appeal from the Superior Court of Mohave County
 No. CV 2000-0152
 The Honorable James E. Chavez, Judge
 REMANDED

Opinion of the Court of Appeals
 Division One
 203 Ariz. 301, 53 P.3d 1145 (App. 2002)
 VACATED

Janet Napolitano, Former Arizona Attorney General
 Terry Goddard, Attorney General Phoenix
 by Randall M. Howe, Chief Counsel,
 Criminal Appeals Section
 and Diane M. Acosta, Assistant Attorney General Tucson
 Criminal Appeals Section
 Attorneys for State of Arizona

Eric J. Engan, P.C. Kingman
 by Eric J. Engan
 Attorney for Wilber W.

M c G R E G O R, Vice Chief Justice

¶1 We granted review to consider the opinion of the Court of

Appeals in light of our decision in *In re Leon G.*, ___ Ariz. ___, 59 P.3d 779 (2002). We exercise jurisdiction pursuant to Article VI, Section 5 of the Arizona Constitution.

¶2 Although the analysis in *In re Wilber W.*, 203 Ariz. 301, 53 P.3d 1145 (App. 2002), largely anticipated our decision in *In re Leon G.*, minor areas of disagreement exist between the two decisions. For that reason, we vacate the opinion of the Court of Appeals and remand this matter to the Superior Court for further proceedings consistent with *In re Leon G.* We also vacate as moot the stay previously entered.

Ruth V. McGregor
Vice Chief Justice

CONCURRING:

Charles E. Jones, Chief Justice

Rebecca White Berch, Justice

Michael D. Ryan, Justice

