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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION TWO

In re ANTHONY N., a Person Coming Under
the Juvenile Court Law.

THE PEOPLE,
Plaintiff and Respondent,
v.
ANTHONY N.,
Defendant and Appellant.

A136096

(Contra Costa County
Super. Ct. No. SJ1200456)

Appellant Anthony N., a minor, appeals from dispositional orders issued by the Contra Costa County Juvenile Court on July 9, 2012, pursuant to Welfare and Institutions Code section 602, adjudging him a ward of the court. His counsel on appeal raises no issues and asks this court to conduct an independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436.

BACKGROUND

On December 21, 2011 at 10:11 a.m., Contra Costa County Sheriff's Deputies were dispatched to Chevron Extra Mile Gas Station following a report of a juvenile shoplifting. While en route, the deputies received a description of the suspect and of the car that he was driving. A detective in plain clothes, who had received the dispatch, observed appellant and parked behind appellant's car to block his escape. Appellant placed his car in reverse and attempted to flee on foot. The detective yelled at appellant to stop, and grabbed him by the shirt. Appellant escaped, but was subsequently

apprehended. Appellant told a deputy that he had gone into the store at the gas station to steal cigarettes. The deputy noticed that appellant's eyes were red and glassy, consistent with being under the influence. The deputy conducted two presumptive alcohol screening tests, which showed .055 and .053 blood alcohol content. Appellant admitted to the officer that he had consumed alcohol the previous night. Two packs of cigarettes were recovered from appellant. At the pretrial conference, appellant pled "no contest" to the violation alleged in count one, burglary in the second degree (Pen. Code, § 459). The other two counts were dismissed.

At the dispositional hearing on July 9, 2012, the juvenile court adjudged appellant a ward of the court. The court placed him on probation with his mother, subject to conditions that included regular school attendance, a 6:00 pm curfew, and alcohol and drug testing as directed by his probation officer.

DISCUSSION

Appellant appeals from the juvenile court's adjudication that he is a ward of the court pursuant to Welfare and Institutions Code section 602. At the dispositional hearing on July 9, 2012, appellant's trial counsel requested that the juvenile court place appellant on a non-wardship probation, pursuant to Welfare and Institutions Code section 725. Appellant's trial counsel added that appellant had taken responsibility for his actions, was classified as having a low risk level for re-offense, had recently graduated from high school, and had a supportive family.

In addition to those factors, the juvenile court considered the facts that appellant committed second degree commercial burglary by stealing two packs of cigarettes from the gas station, that he fled from a police officer (although the police officer was not in uniform and in an unmarked car), and was driving with a blood alcohol level that is illegal for his age.

Based upon an independent review of the record, we cannot find any issue that would, if resolved favorably to the appellant, result in reversal or modification of the judgment. (*People v. Wende, supra*, 25 Cal.3d 436.) The juvenile court carefully

weighed and considered the factors, and made a proper adjudication of appellant as a ward of the court.

DISPOSITION

Our review of the record reveals no arguable issues that require further briefing. The judgment is affirmed.

Lambden, J.

We concur:

Kline, P.J.

Haerle, J.