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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

MARCO ANTONIO MARTINEZ,

Defendant and Appellant.

A137258

(Lake County
Super. Ct. No. CR929894B)

Marco Antonio Martinez appeals from a judgment upon his plea of no contest to attempted cultivation of marijuana (Pen. Code, § 664; Health & Saf. Code, § 11358). His counsel raises no issues and asks this court for an independent review of the record to determine whether there are any arguable issues. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant has been apprised of his right to file a supplemental brief, but has not done so.

On August 30, 2012, defendant waived his right to a jury trial and pled no contest to attempted cultivation of marijuana. The charge stemmed from defendant's presence and work on land where marijuana was being cultivated.

Defendant entered the plea with the understanding that he could be sentenced to county jail for a term of eight months. On October 3, 2012, the court denied probation, finding that defendant was not an appropriate candidate because his conviction of a narcotic offense subjected him to deportation. The court therefore imposed the agreed-upon term of eight months to be served in the county jail. The court granted defendant a total of 225 custody credits.

Defendant was represented by counsel. There was no error in the sentencing.
This court has reviewed the entire record and there are no meritorious issues to be argued.
The judgment is affirmed.

Rivera, J.

We concur:

Reardon, Acting P.J.

Humes, J.