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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSPEH M. KING,

Defendant and Appellant.

A138842

(Del Norte County
Super. Ct. No. CRF139269)

In May 2012, defendant Joseph King pled no contest to one count each of unlawful driving of a motor vehicle (Veh. Code, § 10851, subd. (a)) and evading a police officer (Veh. Code, § 2800.2, subd. (a)). Imposition of sentence was suspended, and defendant was placed on supervised probation. Among the other terms of probation, the court imposed a warrantless search condition and a condition requiring defendant to obey all laws.

On April 2, 2013, the probation department filed a petition to revoke defendant's probation alleging, among other things, that defendant failed to obey all laws when, on April 2, he was arrested for attempting to bribe a police officer (Pen. Code, § 67), possession of a controlled substance (Health & Saf. Code, § 11377) and possession of drug paraphernalia (Health & Saf. Code, § 11364).

At the contested probation revocation hearing, a sheriff's deputy testified that he encountered defendant while responding to a report of a suspicious person. The deputy searched defendant's car pursuant to the warrantless search condition and recovered a small plastic bag containing what he identified as methamphetamine and two

methamphetamine pipes. He also found a Swarovski spotting scope in defendant's truck. Defendant informed the deputy that the scope was worth approximately \$3,000 and offered to give him the scope in exchange for releasing defendant and destroying the methamphetamine. The deputy refused, informing defendant that he would also be charged with attempting to bribe a police officer.

Defendant testified that the methamphetamine found in his truck did not belong to him and he did not know it was there. Defendant also denied trying to bribe the officer. He testified that when the officer put the scope into the police car he thought he was trying to steal it. He also claimed that the deputy asked him if he "wanted to make this any easier" to which defendant replied, "[y]ou want me to give you the scope?"

The court found that the preponderance of the evidence showed that defendant had violated his probation by offering to bribe the deputy and by possessing methamphetamine and paraphernalia. The court revoked defendant's probation and then reinstated probation with additional terms requiring that defendant be assessed for drug and alcohol abuse and submit to drug tests upon request. Probation was also conditioned on defendant serving 180 days in county jail with credit for time served.

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, identifying no potentially arguable issues. Defendant has had an opportunity to file a supplemental brief with this court, but he has not done so. We have reviewed the entire record, and we conclude no issue warrants further briefing.

Substantial evidence supports the trial court's finding that defendant willfully violated the terms and conditions of his probation. (*People v. Rodriguez* (1990) 51 Cal.3d 437, 445–446.) The trial court did not abuse its discretion in revoking and reinstating defendant's probation. (*Id.* at p. 445; *People v. Downey* (2000) 82 Cal.App.4th 899, 909.) We find no error with regard to the terms of probation imposed by the court. (*People v. Welch* (1993) 5 Cal.4th 228, 233–234.) Defendant was adequately represented by counsel throughout the proceedings.

Disposition

The judgment is affirmed.

Pollak, Acting P. J.

We concur:

Siggins, J.

Jenkins, J.