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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

L.C.,

Defendant and Appellant.

A139694

(Contra Costa County
Super. Ct. No. J12-01028)

Defendant L.C. appeals the juvenile court’s jurisdictional and dispositional orders. After defendant filed a timely notice of appeal, appellate counsel was appointed to represent him. Appointed counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) (see *Anders v. California* (1967) 386 U.S. 738 (*Anders*)), in which he raises no issue for appeal and asks this court for an independent review of the record. (See also *People v. Kelly* (2006) 40 Cal.4th 106, 124 (*Kelly*)). Counsel attests that defendant was advised of his right to file a supplemental brief. We have received no such brief.

We have examined the entire record in accordance with *Wende*. We conclude that no arguable issue exists on appeal and affirm.

On July 3, 2012, the Contra Costa County District Attorney filed a juvenile wardship petition (§ 602) charging defendant with one felony count of first degree residential burglary (Pen. Code, §§ 459/460, subd. (a)). On July 10, 2012, defendant entered a no contest plea to an amended count of second degree burglary (Pen. Code, §§ 459/460, subd. (b)). At the dispositional hearing held on July 24, 2012, the juvenile

court adjudged defendant a ward, ordered him to complete a six-month program at the Orin Allen Youth Rehabilitation Facility (OAYRF), and imposed various terms and conditions of wardship.

On March 12, 2013, the Contra Costa County Probation Department filed a probation violation notice alleging that defendant failed to attend school, failed to keep appointments with his probation officer, and failed to appear for drug testing appointments. Defendant admitted violating his probation on March 13, 2013, and the court ordered him returned to OAYRF for 51 days.

On July 30, 2013, the probation department filed a probation violation notice alleging that defendant tested positive for THC¹ and failed to abide by his curfew.

On August 5, 2013, the Contra Costa County District Attorney filed a supplemental juvenile wardship petition charging appellant with two felony counts of second degree commercial burglary (Pen. Code, §§ 459/460, subd. (b)). On August 16, 2013, pursuant to a negotiated agreement, defendant admitted an amended felony count of receiving stolen property (Pen. Code, §§ 496, subd. (a)) with the understanding that both burglary counts would be dismissed. The court dismissed the burglary counts (upon the stipulation that the court could consider them when determining victim restitution at a later date), and the probation violation allegations (with the defendant's agreement that the court could consider them when determining the appropriate disposition).

In advance of the dispositional hearing, the probation department recommended that the court order defendant committed to OAYRF for a nine-month program. On August 30, 2013, at the dispositional hearing, counsel for defendant asked the court to impose a six-month OAYRF commitment, citing his lesser involvement when compared to his coparticipants. Defendant's mother asked the court to place him on home probation in her custody so he could obtain anger management and marijuana counseling

¹ "Tetrahydrocannabinol (THC)" is "the primary intoxicating ingredient in marijuana" (*People v. Rigo* (1999) 69 Cal.App.4th 409, 413–414.)

while attending school regularly. The prosecutor requested that the court commit defendant to OAYRF for 12 months.

The court declared the offense a felony, set defendant's maximum term of commitment at three years eight months, and committed him to OAYRF for a 12-month program (followed by a 90-day parole term). The court also imposed standard wardship conditions, (most of which had been ordered already at previous dispositional hearings), issued multiple stay-away no-association orders, and reserved jurisdiction to impose victim restitution at a later date. Defendant filed a timely notice of appeal.

Having reviewed the entire record in accordance with *Wende* and *Anders*, we agree no arguable issue exists on appeal. L.C. was ably represented by counsel during each of the proceedings. The court allowed defendant's mother and attorney to speak on the issue of disposition. The court acted well within its discretion when making its dispositional orders. It is apparent from the record the court reviewed the relevant materials before it. The court explained its reasons for ordering a 12-month program at the OAYRF, and made all necessary findings.

We affirm the juvenile's court's jurisdictional and dispositional order.

Becton, J.*

We concur:

Margulies, Acting P.J.

Banke, J.

* Judge of the Contra Costa County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.