

**NOT TO BE PUBLISHED IN OFFICIAL REPORTS**

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

ADIL KEKI HIRAMANNEK,

Defendant and Appellant.

A143818

(Santa Clara County

Super. Ct. No. C1235568)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on July 30, 2015, be modified as follows:

1. On page 3, seventh sentence of the second full paragraph, the phrase “dismiss counts one through four with a *Harvey* waiver” is changed to “dismiss counts one through four; the dismissal of counts one and three including a *Harvey* waiver,” so the sentence reads:

Also, appellant would receive credit for time served, and the prosecution would dismiss counts one through four; the dismissal of counts one and three including a *Harvey* waiver.

There is no change to footnote 4 following the word “waiver” at the end of the sentence.

There is no change in the judgment.

DATED: \_\_\_\_\_

\_\_\_\_\_  
RUVOLO, P. J.

**NOT TO BE PUBLISHED IN OFFICIAL REPORTS**

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

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

THE PEOPLE,  
Plaintiff and Respondent,  
v.  
ADIL KEKI HIRAMANNEK,  
Defendant and Appellant.

A143818  
(Santa Clara County  
Super. Ct. No. C1235568)

Appellant Adil Keki Hirananeek appeals from his misdemeanor conviction for contempt of court (Pen. Code<sup>1</sup>, § 166, subd. (a)(4)) following his plea of no contest to that charge. Appellant’s counsel has filed an amended opening brief in which no issues are raised, and asks this court for an independent review of the record as required by *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). Counsel has declared that appellant has been notified that no issues were being raised by counsel on appeal, and that an independent review under *Wende* instead was being requested. Appellant was also advised of his right personally to file a supplemental brief raising any issues he chooses to bring to this court’s attention.

An 81-page “Second Amended Supplemental Brief” was filed personally by appellant raising 16 issues he contends should be decided on appeal. In addition, an

---

<sup>1</sup> All subsequent statutory references are to the Penal Code.

addendum to the Second Amended Supplemental Brief subsequently was filed by appellant personally raising a 17th issue he contends should be decided on appeal.<sup>2</sup>

A stay of this appeal was ordered on February 18, 2015, pending decisions by the California Supreme Court on two separate petitions filed with that court by appellant personally. The Supreme Court subsequently has denied those petitions.

We note that appellant has not obtained a certificate of probable cause, which is required by section 1237.5 when a defendant seeks to appeal from a judgment entered following a guilty or no contest plea. Because appellant did not obtain a certificate of probable cause, his appeal is limited to claims of error occurring after entry of the plea that do not challenge the validity of the plea. (*People v. Mendez* (1999) 19 Cal.4th 1084, 1088.) Accordingly, we have reviewed the record pursuant to *Wende, supra*, 25 Cal.3d 436, focusing upon grounds for appeal arising after entry of the plea. Having done so, we conclude that there is no arguable issue on appeal.<sup>3</sup>

#### **PROCEDURAL AND MATERIAL FACTUAL BACKGROUND OF THE CASE**

A five-count information was filed by the Santa Clara County District Attorney's Office on February 7, 2013, charging appellant with two counts of using personal identifying information without authorization (§ 530.5, subd. (a)), one count of forgery

---

<sup>2</sup> Appellant also has filed a motion to augment the record on appeal, a motion to replace his appellate counsel with new counsel under *People v. Marsden* (1970) 2 Cal.3d 118, a motion to strike the *Wende* brief filed by his appointed counsel, and a motion for judicial notice, decisions on all of which have been deferred pending our consideration of the merits of his appeal. Each and all of those motions are hereby denied as lacking merit.

<sup>3</sup> Appellant's Second Amended Supplemental Brief and addendum raise numerous issues, almost all of which relate to the validity of his plea, and thus are not cognizable on appeal. He also raises several questions pertaining to whether there are stays extant which prevent our hearing his appeal at this time. As noted, our stay ended with the decisions by the California Supreme Court denying his petitions before that court, and we are unaware of any other proceeding or order that prevents our deciding his appeal now. One issue (Issue 17 in the addendum) complains that the trial court has been "dilly dallying" in considering the postjudgment termination of his probation, which was part of his plea agreement. That matter also is not cognizable on this appeal, as it does not affect the judgment of conviction.

(§ 470, subd. (a)), one count of counterfeiting the seal or handwriting of another (§ 470, subd. (b)), and one count of misdemeanor contempt of court (§ 166, subd. (a)(4).)

At the arraignment on the information, appellant pleaded not guilty to all of the charges.

On May 12, 2014, appellant entered a change of plea form by which he agreed to plead no contest to the misdemeanor contempt of court charge (count 5). As part of the negotiated plea, it was agreed that appellant would be sentenced to two years of probation, but after one year, if appellant did not violate the terms of his probation and he committed no new criminal violations, the prosecution would not object to early termination of appellant's probation. Also, appellant would receive credit for time served, and the prosecution would dismiss counts one through four with a *Harvey* waiver.<sup>4</sup>

The plea was accepted by the court on that same day in open court. At that time, appellant was asked if he had any questions concerning the explanation of the rights he was waiving by entering the plea, and the consequences of that plea, as set forth on his change of plea form. Appellant stated that he understood them and had no questions, and the plea was accepted. Sentencing took place immediately thereafter, and appellant was sentenced as provided in his plea agreement.

#### **CONCLUSIONS BASED UPON INDEPENDENT RECORD REVIEW**

Upon our independent review of the record we conclude there are no meritorious issues to be argued, or that require further briefing on appeal.

We conclude that appellant's conviction was supported by substantial evidence, and was duly accepted upon a knowing and voluntary waiver of rights by appellant, including an acknowledgement of the consequences of entering the plea.

We also discern no error in the sentencing. The grant of probation, and the sentencing choices made by the trial court were consistent with the agreement of the parties, supported by substantial evidence, and were well within the discretion of the trial court. At all times appellant was represented by counsel.

---

<sup>4</sup> *People v. Harvey* (1979) 25 Cal.3d 754.

**DISPOSITION**

The judgment is affirmed.

---

RUVOLO, P. J.

We concur:

---

RIVERA, J.

---

STREETER, J.