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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

JEFFREY SCOTT HOLZWORTH,

Defendant and Appellant.

A144794

(Sonoma County  
Super. Ct. No. SCR627215)

Defendant Jeffrey Holzworth, a longtime police officer in the Santa Rosa Junior College Police Department, was arrested after a two-week surveillance indicated that he was stealing money from Santa Rosa Junior College parking machines. Defendant filed a motion to quash and traverse three warrants and to suppress the evidence obtained pursuant to the warrants. The court granted the motion to quash as to two of the warrants but denied it as to the third.

Defendant pleaded guilty to one count of grand theft in violation of Penal Code section 487, subdivision (a), with special allegations that the theft exceeded \$150,000 and that defendant was ineligible for a county jail sentence (*id.*, §§ 186.11, subd. (a)(3), 1170, subd. (h)), and 11 counts of receiving stolen property in violation of section 496, subdivision (a). He was sentenced to four years in state prison: the midterm of two years for count 1 and a consecutive two-year sentence for the first special allegation, with the sentences on the remaining 11 counts stayed pursuant to section 654. We recently affirmed defendant's appeal from that judgment (*People v. Holzworth* (Mar. 24, 2016,

A142440) [nonpub. opn.] and denied his petition for habeas corpus (*In re Jeffrey Scott Holzworth* (Mar. 24, 2016, A146868)).<sup>1</sup>

On February 6, 2015, defendant filed a petition for recall of his sentence and resentencing pursuant to Penal Code section 1170.18, subdivisions (b) and (d). Both sides filed memoranda of points and authorities addressing whether defendant was eligible for resentencing under Proposition 47.

On March 10, 2015, the trial court denied defendant's petition, finding him ineligible for resentencing.

Defendant filed a timely appeal.

On November 30, 2015, defendant's appointed counsel filed an opening brief in which he asked this court to conduct an independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436, to determine whether there are any arguable issues that require briefing. Defendant was advised of his right to file a supplemental brief of his own, but he did not do so.

We have reviewed the record and find no arguable issues that require briefing. The trial court's order denying defendant's petition for resentencing is affirmed.

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<sup>1</sup> We granted defendant's unopposed request for judicial notice of the record in *People v. Holzworth*, No. A142440.

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Richman, Acting P.J.

We concur:

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Stewart, J.

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Miller, J.

A144794; *P. v. Holzworth*