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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION THREE

In re J.J., a Person Coming Under the  
Juvenile Court Law.

THE PEOPLE,  
Plaintiff and Respondent,  
v.  
J.J.,  
Defendant and Appellant.

A145403

(Contra Costa County  
Super. Ct. No. J15-00374)

This is an appeal from the dispositional order in a juvenile matter in which appellant J.J., a minor, admitted committing the offense of attempted robbery, the lesser included offense of the original charge of robbery. Appellant was thereafter adjudicated a ward of the court and ordered detained in Juvenile Hall by the probation department pending her delivery to the Contra Costa County institutional program, Girls In Motion, for a period not to exceed two years, eleven months, with credit for 30 days of time served.

After minor filed a timely notice of appeal, appellate counsel was appointed to represent her. Appointed counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*People v. Wende*), in which she 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 (*People v. Kelly*)). Counsel attests minor was advised of her right to file a supplemental brief in a timely manner, but she has not done so.

Mindful that our review is limited to grounds for appeal occurring after entry of the negotiated disposition, we have examined the entire record in accordance with *People v. Wende*. For reasons set forth below, we agree with counsel that no arguable issue exists on appeal. Accordingly, we affirm the juvenile court's dispositional order.

### **FACTUAL AND PROCEDURAL BACKGROUND**

On March 13, 2015, a juvenile wardship petition was filed pursuant to Welfare and Institutions Code section 602, subdivision (a), alleging that, on March 11, 2015, minor committed the felony offense of robbery (count one).<sup>1</sup> According to probation reports, minor, along with several other young females, confronted the victim on a Berkeley sidewalk at about 9:30 p.m., and knocked her to the ground. Minor and her associates then strong-armed the victim, holding her down, kicking and hitting her, and then taking several of her personal items. Minor was detained a short while later walking with two other young females on a nearby street. One of these females subsequently told police that minor was the assailant who knocked the victim to the ground.

On March 16, 2015, this petition was amended to change the allegation in count one to attempted robbery in violation of Penal Code sections 664/211. Minor thereafter admitted the attempted robbery allegation and the case was transferred to Contra Costa County, where minor resided, for disposition.

A disposition hearing was held April 9, 2015. The court heard from both counsel, as well as minor's grandmother, who was also minor's adoptive mother (adoptive mother). Adoptive mother, with whom minor lived, described minor as generally obedient, but admitted she had been surprised by minor's unlawfulness, as well as her recent abandonment of the Job Corps, a job skills and education program minor had entered following her poor performance in school.

Before reaching the disposition, the court noted that minor had been previously referred by the Antioch Police Department for commercial burglary; however, the district

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<sup>1</sup> Unless otherwise stated, all statutory references herein are to the Welfare and Institutions Code.

attorney's office had declined to file charges. In addition, minor had been caught shoplifting over \$400 in property from Macy's; however, the department store declined to pursue charges. Finally, the court noted that minor had "terrible" grades and "[n]umerous unverified absences" from school.

Under these circumstances, the court concluded, consistent with the probation department's recommendations, that minor would be best served by removal from her adoptive mother's residence, and placement in an out-of-home county institution. The court thus adjudicated minor a ward of the court, ordered her detained in Juvenile Hall pending delivery by the probation department to the county institution program, Girls In Motion (GIM). The court further ordered minor to, among other things, successfully complete all aspects of the GIM program; follow all rules, requirements and regulations (including those of her adoptive mother); and participate in counseling as directed. This timely appeal followed.

### **DISCUSSION**

Neither appointed counsel nor minor has identified any issue for our review. Upon our own independent review of the record, we agree none exists. (*People v. Wende, supra*, 25 Cal.3d 436.) Minor admitted committing the lesser included offense of attempted robbery after the juvenile court fully advised minor of her right to, among other things, a full evidentiary hearing on the allegation.<sup>2</sup> Minor, at all relevant times represented by competent counsel, knowingly and voluntarily waived this right.

Thereafter, during the disposition hearing, minor's counsel advised the court that both minor and her adoptive mother preferred minor to be released to her adoptive mother's care on home supervision with an order for services. Ultimately, however, the court denied this request and accepted the probation department's position that minor required more structure and supervision than her adoptive mother could provide. As such, the court ordered minor detained by the probation department and placed in a court-approved home or institution. The court's decisions on these matters, which were

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<sup>2</sup> The court found a factual basis for minor's admission based on the probation department report(s).

committed by law to its sound discretion, were reasonable. (*In re Robert H.* (2002) 96 Cal.App.4th 1317, 1329-1330 [“ ‘We must indulge all reasonable inferences to support the decision of the juvenile court and will not disturb its findings when there is substantial evidence to support them’ ”]; see also *In re Aline D.* (1975) 14 Cal.3d 557, 563, superseded by statute on another issue.)

Thus, having ensured minor has received adequate and effective appellate review, we affirm the juvenile court’s findings and order adjudicating minor a ward of the court and detaining her in Juvenile Hall pending delivery to GIM. (*People v. Kelly, supra*, 40 Cal.4th at pp. 112-113; *People v. Wende, supra*, 25 Cal.3d 436.)

**DISPOSITION**

The dispositional order of April 9, 2015, is affirmed.

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Jenkins, J.

We concur:

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McGuinness, P. J.

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Pollak, J.

*In re J.J.*, A145403