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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.

JEREMY RAY HOGAN,

Defendant and Appellant.

A145582

(Sonoma County
Super. Ct. No. SCR-627762)

Jeremy R. Hogan appeals following a violation of probation and the court's imposition of a previously suspended seven-year prison sentence. His court-appointed counsel has filed a brief seeking our independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436 to determine whether there are any arguable issues on appeal. We conclude there are no issues requiring further review and affirm.

BACKGROUND

The victim testified at a preliminary hearing under a grant of use immunity. After animosity had been brewing for some time between Hogan and his victim, the two were involved in an altercation at a Santa Rosa shopping mall. After the victim hit Hogan over the head with his skateboard, Hogan stabbed the victim three times. Hogan did not dispute an allegation that the victim suffered great bodily injury. He had a punctured lung and lacerated liver among other injuries.

An attempted murder charge was dismissed following the preliminary hearing, and Hogan was charged in an information with assault with a deadly weapon in violation of California Penal Code section 245, subdivision (a)(1), enhanced under section 12022.7,

subdivision (a) due to his infliction of great bodily injury. Hogan entered an open plea of no contest to the charges as alleged in the information.

The court placed Hogan on four years of formal probation with execution suspended on a seven-year prison term. The grant of probation required Hogan's completion of residential treatment with the Jericho Project. He was assessed fines and fees, and awarded 981 days of pre-sentence credit.

Within a month, Hogan was back before the court for his failure to complete residential treatment. After he waived his right to a hearing and the court found the violation, Hogan was again placed on probation in a different treatment program.

Several months later, Hogan was again charged with violating probation for his failure to complete treatment. He admitted the charged violation and the court imposed the previously suspended 7-year sentence. He appealed.

DISCUSSION

Based upon our review of the record, we have no reason to question the sufficiency of the court's advisements, Hogan's waivers or the explanation of the consequences of his plea. His plea appears to be free, knowing and voluntary. We have no reason to question it. We also have no reason to question Hogan's admissions of the violation of the terms of his probation, his waiver of 365 days of custody credit, or his permission for discussions to resolve his probation violations by agreement outside of his presence.

Hogan's counsel has represented that he advised Hogan of his intention to file a *Wende* brief in this case and of Hogan's right to submit supplemental written argument on his own behalf. He has not done so. Hogan has also been advised of his right to request that counsel be relieved.

Our full review of the record reveals no issue that requires further briefing.

DISPOSITION

The judgment is affirmed.

Siggins, J.

We concur:

McGuinness, P.J.

Pollak, J.