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

THE PEOPLE,
Plaintiff and Respondent,
v.
DAVID ARKEEN EVANS,
Defendant and Appellant.

A147621
(Contra Costa County
Super. Ct. No. 051321769)

Defendant David Evans appeals a victim restitution order. His counsel has filed an opening brief raising no issues and asking this court for an independent review of the record. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant has been informed of his right to personally file an opening brief, but he has not done so.

Defendant was charged by information with kidnapping for robbery (Pen. Code,¹ § 209, subd. (b), count one), second degree robbery (§§ 211, 212.5, subd. (c), count two), and being a felon in possession of a firearm (§ 29800, subd. (a)(1), count three). Pursuant to a plea agreement, defendant pled no contest to second degree robbery and admitted that he personally used a gun in the commission of the robbery (§ 12022.5, subd. (a)) and that he had suffered a previous conviction of a serious felony (§ 667, subd. (a)(1)). The plea agreement recited that defendant understood he would be required to pay appropriate restitution to the victims of his crime. On August 26, 2014, the trial court sentenced

¹ All statutory references are to the Penal Code.

defendant to the agreed-upon term of 10 years, with the amount of victim restitution to be determined later.

The victim of the robbery provided a statement indicating that she lost six and one-half days of work as a result of the crime, for a total loss of \$870.54. The Probation Department sent defendant a notice on September 15, 2015, informing him of the proposed amount of restitution. At the January 15, 2016 restitution hearing, defendant did not introduce evidence or seek the victim's testimony. The trial court ordered defendant to pay the victim \$870.54 in restitution. Defendant has appealed from this order.

There are no meritorious issues to be argued.

DISPOSITION

The January 15, 2016 restitution order is affirmed.

Rivera, J.

We concur:

Reardon, Acting P.J.

Streeter, J.