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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

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

THE PEOPLE,

Plaintiff and Respondent,

v.

J.T.,

Defendant and Appellant.

A148560

(Solano County
Super. Ct. No. J43448)

J.T. appeals from the juvenile court’s jurisdictional and dispositional orders in this proceeding under Welfare and Institutions Code section 602. His attorney has filed a brief seeking our independent review of the record, pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (see *Anders v. California* (1967) 386 U.S. 738), in order to determine whether there is any arguable issue on appeal. We find no arguable issue and affirm.

I. FACTS AND PROCEDURAL HISTORY

In April 2016, a juvenile wardship petition under Welfare and Institutions Code section 602 charged J.T. with attempted second degree robbery (Pen. Code, § 664/211).

The detention report described the events underlying the petition as follows:

“[O]n 3/17/16, officers responded to Jesse Bethel High School in regards to a robbery of a student. The victim told officers earlier in the day he was using the bathroom when he noticed three individuals inside the bathroom looking at him. He recognized one of them

([J.T.]) because he had robbed and beaten the victim's friend about two weeks prior. The victim started to walk out of the restroom when one of the suspects grabbed his shirt and backpack and pulled him back into the restroom. He reported [J.T.] was standing in front of one of the doors to prevent him from leaving and told him 'if you don't give what you have, then I will beat your ass like I beat up your friend.' One of the suspects asked him for his money and told him he had a gun. The victim did not see a gun. The suspect started looking through his backpack. The victim indicated [J.T.] and the other suspect were blocking the doors to prevent him from leaving. The three suspects started talking to each other and the victim ran to the office."

The prosecution issued a determination that J.T. was eligible for deferred entry of judgment and provided the related written notification. (See Welf. & Inst. Code, § 790 et seq. [describing deferred entry of judgment procedure where a felony is alleged].)

On April 22, 2016, the prosecutor amended the wardship petition to add a misdemeanor count of being an accessory after the fact (Pen. Code, § 32), and J.T. entered into a negotiated disposition by which he admitted the misdemeanor accessory count in exchange for dismissal of the felony count. He was advised that the maximum time of confinement was one year, but the negotiated disposition contemplated formal probation and victim restitution related to the dismissed count. Before accepting J.T.'s admission, the juvenile court obtained a personal waiver from J.T. of his statutory and constitutional trial rights, both orally in open court and by a signed written waiver form. The parties stipulated that there was a factual basis for J.T.'s admission as stated in the detention report.

After J.T. entered his admission, the prosecutor acknowledged that "[i]t appears that it was a different individual who was the more active participant." The prosecutor also accepted the court's characterization of J.T.'s involvement as "standing at the door."

At the dispositional hearing held on May 25, 2016, the juvenile court adjudged J.T. a ward of the court, announced the maximum confinement time of one year, and placed him on formal probation in the custody of his parents. The court imposed several conditions of probation, including a curfew, counseling, volunteer work, drug testing, a

no-contact order related to the victim, prohibitions on the knowing possession of illegal drugs and dangerous or deadly weapons, and a condition subjecting J.T. to the warrantless search and seizure of his person and property by a peace officer at any time, with or without probable cause.

Defense counsel objected to the condition subjecting J.T. to the warrantless search and seizure of his person and property. Counsel argued: “This is not a case where my client is alleged to have ever brandished or been in possession of a deadly weapon. He was never in possession of any stolen property. He’s not alleged to have been in possession of any drugs or drug paraphernalia. So, given the nature of the underlying charge, my client’s circumstances and history, I don’t believe that there’s a rehabilitative purpose in ordering search and seizure, nor do I see there’s a significant nexus between the underlying allegations and my client’s admission and that term of Probation’s supervision.” The court noted the objection.

The court also imposed a nine-day juvenile hall commitment but awarded J.T. nine days of credit for time served. The court imposed a \$50 restitution fine (§ 730.6) and reserved jurisdiction to impose victim restitution at a later date.

This appeal followed.

II. DISCUSSION

J.T.’s appellate counsel represented in the opening brief in this appeal that he wrote to him at his last known address and advised him of the filing of a *Wende* brief and that he may personally file a supplemental brief within 30 days, raising any issues that he wished to call to the court’s attention. We have not received any supplemental brief from J.T.

We find no arguable issues on appeal. There are no legal issues that require further briefing.

III. DISPOSITION

The orders are affirmed.

NEEDHAM, J.

We concur.

JONES, P.J.

SIMONS, J.

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