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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

RONALD PUERTA,

Defendant and Appellant.

B234838

(Los Angeles County  
Super. Ct. No. NA079303)

APPEAL from a judgment of the Superior Court of Los Angeles County,  
James D. Otto, Judge. Affirmed.

John Alan Cohan, under appointment by the Court of Appeal, for Defendant  
and Appellant.

No appearance for Plaintiff and Respondent.

In August 2008, defendant Ronald Puerta pled guilty to felony possession of a controlled substance (Health & Saf. Code, § 11350, subd. (a)) and misdemeanor driving under the influence (Veh. Code, § 23152, subd. (a)). The trial court sentenced him to three years in state prison for the possession charge and a six-month concurrent term for driving under the influence. The court suspended execution of sentence, and placed him on probation for 36 months subject to various terms and conditions, including that he spend the first 90 days in county jail and perform 60 days of Caltrans.

In March 2011, defendant stipulated to a violation of probation for failing to report. The court revoked and reinstated probation on the same terms, and ordered defendant to serve 60 days in county jail.

In June 2011, defendant was arrested for allegedly violating Penal Code section 243, subdivision (e)(1), based on a complaint by his wife that he had battered her. No charges were filed, but probation was revoked and he was remanded into custody for an alleged probation violation for testing positive for narcotics and other possible violations.

A probation violation hearing was held on July 21, 2011. Defendant's probation officer testified that defendant admitted using crystal meth on May 17, 2011. He also failed to register to perform the 60 days of Caltrans required as a term of probation, and failed to register as a narcotics offender after his most recent move. Based on this testimony, the court found defendant in violation of probation for using crystal meth, failing to register for Caltrans, and failing to register as a narcotics offender as required by law. The court terminated probation, and sentenced defendant to the previously imposed term of three years in prison with credit for 250 days.

Defendant appeals from the judgment. His court appointed attorney filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436. On December 2, 2011, we informed defendant that he had 30 days within which to submit a supplemental brief containing any arguments he wants the court to consider. Defendant filed no such brief.

We have independently reviewed the record on appeal and are satisfied that no arguable issue exists. Defendant has, by virtue of counsel's compliance with the *Wende* procedure, received effective appellate review. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-279; *People v. Kelly* (2006) 40 Cal.4th 106, 123-124.)

### **DISPOSITION**

The judgment is affirmed.

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WILLHITE, Acting P. J.

We concur:

MANELLA, J.

SUZUKAWA, J.