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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

LOREN BRADLEY ALLEN,

Defendant and Appellant.

2d Crim. No. B238083
(Super. Ct. No. 1254943)
(Santa Barbara County)

Loren Bradley Allen appeals an order revoking his probation and sentencing him to a four-year prison term.

On November 12, 2008, after receiving advice of and waiving his constitutional rights and right to a preliminary examination, Allen pleaded nolo contendere to one count of first degree burglary and admitted that a person was present during the burglary. (Pen. Code, § 459, 462, subd. (a), 667.5, subd.

(c)(21).)¹

¹ All further statutory references are to the Penal Code.

According to the factual summary in the probation report, Allen entered the apartment of a woman while she was present, in order to take her underwear.

In accordance with a plea bargain, the trial court suspended imposition of sentence and granted Allen three years of formal probation with terms and conditions, including 180 days of confinement in county jail and registration pursuant to section 290. The court then dismissed three charged counts of burglary, prowling, and peeking. (§§ 459, 647, subds. (h) & (i).)

In 2009 and 2010, Allen violated the terms of his probation by using drugs or alcohol. Allen admitted each violation. Following each admission, the trial court reinstated and modified the terms of probation and ordered Allen to serve additional days of confinement in county jail.

On June 11, 2011, the probation officer charged Allen again with violating the terms of his probation due to his dismissal from a residential alcohol treatment program. On September 13, 2011, Allen admitted that he violated his probation terms by failing to complete the treatment program.

On November 29, 2011, the trial court revoked Allen's probation and sentenced him to a midterm sentence of four years. The court imposed victim restitution, a \$200 restitution fine, a \$200 parole revocation restitution fine, and a \$200 probation revocation fine. (§§ 1202.4, subd. (b), 1202.45, 1202.44.) It awarded Allen 540 days of custody credit.

We appointed counsel to represent Allen in this appeal. After counsel's examination of the record, he filed an opening brief raising no issues.

On April 11, 2012, we advised Allen that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. We have not received a response.

We have reviewed the entire record and are satisfied that Allen's attorney has fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.
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GILBERT, P.J.

We concur:

YEGAN, J.

PERREN, J.

Brian E. Hill, Judge

Superior Court County of Santa Barbara

Richard B. Lennon, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Plaintiff and Respondent.