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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.

RICHARD ADAM VASQUEZ,

Defendant and Appellant.

2d Crim. No. B240310
(Super. Ct. No. 2011037321)
(Ventura County)

Richard Adam Vasquez appeals from the judgment entered after a jury convicted him of second degree commercial burglary. (Pen. Code, § 459)¹ and receiving a stolen vehicle (§496d, subd. (a)). The trial court sentenced appellant to two years eight months felony jail (§1170, subd. (h)(5)) and ordered appellant to pay \$119.99 victim restitution, a \$400 restitution fine (§ 1202.4, subd. (b)), and a \$10 fee plus penalty assessments for committing theft crimes (§1202.5.)

The evidence shows that appellant stole a speaker system from a Kohl's department store and was chased out of the store. The loss prevention officer saw appellant run towards a black Toyota Tundra and, minutes later, saw Julie Paz drive off in the Toyota.

¹ All statutory references are to the Penal Code.

Officers located the Toyota on the south side of the parking lot and determined that it had been stolen and had a stolen license plate. Paz was detained and said that she and appellant borrowed the vehicle and knew it was stolen. Appellant was arrested minutes later and identified by the loss prevention officer. In a recorded call to his mother from jail, appellant said: "They caught me in a stolen car" and "They found me outside of the store" In another call, appellant admitted that he was photographed on the store video surveillance system.

We appointed counsel to represent appellant in this appeal. After examination of the record, counsel filed an opening brief in which no issues were raised.

On October 22, 2012, we advised appellant that he had 30 days within which to personally submit any contentions or issues he wished us to consider. No response has been received.

We have examined the entire record and are satisfied that appellant's appointed counsel has fully complied with his responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 123-124; *People v. Wende* (1979) 25 Cal.3d 436.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P.J.

PERREN, J.

Kevin G. Denoce, Judge
Superior Court County of Ventura

Lisa M. J. Spillman, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Respondent.