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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.

JUAN ANTONIO MORALES,

Defendant and Appellant.

2d Crim. No. B249652
(Super. Ct. No. VA126424)
(Los Angeles County)

Juan Antonio Morales was charged with two counts of sex with a child 10 years of age or younger (Pen. Code, § 288.7, subd. (a)),¹ one count of oral copulation with a child 10 years of age or younger (§ 288.7, subd. (b)), and one count of lewd act upon a child (§ 288, subd. (a)). Pursuant to a plea agreement, appellant waived his trial rights and pled guilty to the oral copulation count. The remaining charges were dismissed. Appellant was sentenced to a term of 15 years to life in state prison and was awarded 319 days of presentence custody credit.² Appellant filed a notice of appeal from

¹ All statutory references are to the Penal Code.

² The trial court initially awarded appellant no custody credit for good conduct. Six months after entering judgment, on motion by appellant's counsel, the court nunc pro tunc awarded appellant 41 days of conduct credit calculated at 15 percent of actual time served. (§§ 2933.1, subd. (a), 4019.) Concurrently, the court issued an amended abstract of judgment reflecting the additional custody credit.

the sentence. The trial court granted his request for a certificate of probable cause. (§ 1237.5; Cal. Rules of Court, rule 8.304(b).)

Because appellant pled guilty prior to trial, the relevant facts are derived from the psychiatric evaluation and the probation officer's report. Appellant sexually abused his seven-year-old stepsister on multiple occasions after bringing her home from school. Appellant, who was 20 years old at the time, masturbated in front of the victim, forced her to orally copulate him, and according to the victim, inserted his erect penis into her vagina and buttocks. He warned the victim not to tell anyone about what he had done or he would be mean to her.

Appointed counsel filed a brief raising no issues and requesting our independent review pursuant to *People v. Wende* (1979) 25 Cal.3d 436. On January 14, 2014, we notified appellant that he had 30 days in which to advise us of any claims he wished us to consider. No response has been received.

We have reviewed the entire record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 123-124; *People v. Wende, supra*, 25 Cal.3d at pp. 441-442.)

The judgment is affirmed.

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PERREN, J.

We concur:

GILBERT, P. J.

YEGAN, J.

Peter Espinoza, Judge
Superior Court County of Los Angeles

Ava R. Stralla, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.