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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.

WYNTON DAVIS,

Defendant and Appellant.

B250773

(Los Angeles County  
Super. Ct. No. BA405146)

APPEAL from a judgment of the Superior Court of Los Angeles County,  
Craig E. Veals, Judge. Affirmed.

Melissa A. Fair, under appointment by the Court of Appeal, for Defendant  
and Appellant.

No appearance for Plaintiff and Respondent.

A jury convicted defendant Wynton Davis of one count of receiving aid by misrepresentation of more than \$950 in violation of Welfare and Institutions Code section 10980, subdivision (c)(2), and two counts of perjury by false application for aid in violation of Penal Code section 118, subdivision (a). The trial court placed him on probation for three years subject to various terms and conditions, including that he pay restitution of \$7,784. He appeals from the judgment (order granting probation). We affirm.

### **BACKGROUND**

Between August 2011 and March 2012, defendant submitted applications under penalty of perjury for child care reimbursement to Cal Works. He represented that he had no job and that one of his two sons lived with him. Based on these representations, he received aid in the sum of \$7,784 in reimbursements and food stamps. In fact, the son lived with his mother, rendering defendant ineligible for aid.

### **DISCUSSION**

After review of the record, defendant's court-appointed counsel filed an opening brief asking this court to review the record independently pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441.

We advised appellant that he had 30 days within which to submit any contentions or issues that he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied that no arguable issues exist, and that appellant has, by virtue of counsel's compliance with the *Wende* procedure and our review of the record, received adequate and effective appellate

review of the judgment entered against him in this case. (*Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113.)

**DISPOSITION**

The judgment is affirmed.

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WILLHITE, J.

We concur:

EPSTEIN, P. J.

EDMON, J.\*

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\*Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.