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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.

JESSE BERNAL GUTIERREZ,

Defendant and Appellant.

2d Crim. No. B257950  
(Super. Ct. No. GA086998)  
(Los Angeles County)

A jury convicted Jesse Gutierrez of petty theft (Pen. Code, § 484, subd. (a))<sup>1</sup> and possession of methamphetamine (Health & Saf. Code, § 11377, subd. (a)). In a prior appeal, we affirmed his conviction, but vacated his sentence, and remanded for a trial on the allegations that he had suffered prior convictions. (§ 667.5, subd. (b).) Following a bench trial (Gutierrez previously waived his right to a jury trial), the trial court found three of the four alleged priors to be true. Gutierrez was sentenced to an aggregate term of six years four months in state prison. The trial court imposed the mid-term sentence of two years for the petty theft conviction as the principal term and a consecutive eight-month term (one-third the midterm) for the methamphetamine possession conviction. Both terms were doubled as a second strike. (§§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d).) The trial court imposed an additional one-year term for one

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<sup>1</sup> All further statutory references are to the Penal Code unless otherwise stated.

of the priors and stayed punishment on the other two. Gutierrez was awarded a total of 1,048 days of presentence custody credit.

Appointed counsel filed a brief raising no issues and requesting our independent review pursuant to *People v. Wende* (1979) 25 Cal.3d 436. On February 23, 2015, we notified Gutierrez that he had 30 days in which to advise us of any claims he wished us to consider. Subsequently, we granted his request for an extension of time and gave him until May 7, 2015, to file a supplemental brief. No response has been received.

We have reviewed the entire record and are satisfied that Gutierrez'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.

Michael D. Carter, Judge

Superior Court County of Los Angeles

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California Appellate Project, Jonathan B. Steiner, Executive Director, and  
Ann Krausz, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.