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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.  
  
MICHAEL J. PETRELLA,  
  
Defendant and Appellant.

2d Crim. No. B261321  
(Super. Ct. No. YA089434)  
(Los Angeles County)

Michael J. Petrella appeals after a jury convicted him of second degree burglary (Pen. Code,<sup>1</sup> §§ 459, 460) and he admitted serving 10 prior prison terms (§ 667.5, subd. (b)). Appellant was sentenced to nine years in state prison. The trial court subsequently granted appellant's petition to recall his sentence pursuant to section 1170.18. The court reduced appellant's conviction to a misdemeanor and sentenced him to 180 days in county jail with credit for time served.

Appellant entered a Wal-Mart store and unsuccessfully attempted to exchange a sewing machine, a drill, and a vacuum cleaner for cash by presenting fraudulent receipts for the merchandise. A police officer was dispatched to the store and stopped appellant as he was about to drive out of the parking lot. The merchandise was in plain view in the bed of appellant's truck. The officer searched appellant and found the

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<sup>1</sup> All statutory references are to the Penal Code.

fraudulent receipt for the sewing machine. Appellant told the officer that a man named Mark or Robert had given him the receipts and the merchandise with the understanding that he would return the items in exchange for an equal share of the proceeds. Appellant knew the receipts were fraudulent and assumed the merchandise had been stolen.

We appointed counsel to represent appellant in this appeal. After counsel's examination of the record, he filed an opening brief in which no issues were raised. On June 2, 2015, we advised appellant that he had 30 days within which to personally submit any contentions or issues he wished us to consider. We received no response.

We have reviewed the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 126.)

The judgment is affirmed.

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PERREN, J.

We concur:

GILBERT, P. J.

YEGAN, J.

Mark Arnold, Judge  
Superior Court County of Los Angeles

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Joseph T. Tavano, under appointment by the Court of Appeal, for  
Defendant and Appellant.

No appearance for Plaintiff and Respondent.