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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

RICARDO A. GERALDO,

Defendant and Appellant.

B263092

(Los Angeles County
Super. Ct. No. A771642)

THE COURT:*

In 1985, appellant Ricardo A. Geraldo was charged with one count of murder with an allegation that a principal was armed and one count of assault with a deadly weapon. (Pen. Code, §§ 187, subd. (a), 12022, subd. (a), 245, subd. (a)(2).) Following a jury trial, appellant was convicted of second degree murder, and the principal armed allegation was found true. On October 22, 1986, he was sentenced to 16 years to life.

On September 29, 2014, appellant filed a motion to seal and destroy all record of the arrest. The trial court denied his motion, reasoning that: (1) The burden of proof was not met to establish factual innocence, and (2) the motion was untimely and there was no showing of good cause for the late filing.

* BOREN, P. J., ASHMANN-GERST, J., CHAVEZ, J.

Appellant timely appealed.

Counsel was appointed to represent appellant in connection with this appeal. After examination of the record, counsel filed an “Opening Brief” in which no arguable issues were raised. On July 13, 2015, we advised appellant that he had 30 days within which to personally submit any contentions or issues for us to consider. No response was received.

We have examined the entire record and are satisfied that appellant’s appellate counsel has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441 (*Wende*)). We see no indication of any error.

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 and sentence entered against him in this case. (*Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 123-124.)

The judgment is affirmed.

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