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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.

DARRYL A. WALCOTT,

Defendant and Appellant.

B263159

(Los Angeles County
Super. Ct. No. SA026984)

APPEAL from an order of the Superior Court of Los Angeles County,
Richard A. Stone, Judge. Affirmed.

James Koester, under appointment by the Court of Appeal, and Darryl A.
Walcott, in pro.per., for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Darryl Walcott appeals from the denial of his petition to recall his sentence under Proposition 47 (Pen. Code, § 1170.18), which reduced certain felonies to misdemeanors. His appointed counsel filed a brief under *People v. Wende* (1979) 25 Cal.3d 436, and appellant filed a supplemental brief.

Appellant is a third striker, serving 44 years to life in prison for a second-degree robbery committed with the use of a firearm. His conviction was affirmed in *People v. Walcott* (June 16, 1999, B121073 [nonpub. opn.]). In 2014, appellant filed petitions to recall his sentence under Proposition 36 (§ 1170.126) and Proposition 47 (§ 1170.18), both of which were denied. In affirming the denial of his petition under Proposition 36, we explained that appellant improperly attempted to reargue issues about his competency to stand trial, which had been raised and denied repeatedly in habeas corpus petitions. (See *People v. Walcott* (Aug. 17, 2015, B261304 [nonpub. opn.])). The same holds true here: appellant's conviction under section 211 falls outside the scope of Proposition 47, and the competency issue he raises in his supplemental brief is not properly before us.

We have reviewed the record under *People v. Kelly* (2006) 40 Cal.4th 106. No arguable issues for appeal exist.

DISPOSITION

The order is affirmed.

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We concur:

EPSTEIN, P. J.

WILLHITE, J.

MANELLA, J.