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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

EDGARD ADELFO IRULA,

Defendant and Appellant.

B265606

(Los Angeles County
Super. Ct. No. LA077083)

APPEAL from a judgment of the Superior Court of Los Angeles County.

Thomas Rubinson, Judge. Affirmed.

Richard L. Fitzer, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Appellant appeals from the trial court's order denying his Penal Code section 1538.5 motion. Pursuant to a plea agreement, he pled no contest to one count of possession of a controlled substance in violation of Health and Safety Code section 11350, subdivision (a), a misdemeanor under the terms of Penal Code section 1170.18, subdivision (a), (Proposition 47). On June 1, 2015, the trial court imposed sentence and placed appellant on two years summary probation on the conditions he obey all laws, serve 30 days in the County jail with credit for time served, and assessed a \$150 restitution fine (Pen. Code, § 1202.4, subd. (b)(1)); \$150 probation revocation fine (stayed) (Pen. Code, § 1202.4, subd. (b)); \$40 court operations assessment (Pen. Code, § 1465.8, subd. (a)(1)); and a \$30 court facilities assessment (Gov. Code § 70373, subd. (a)(1)).

Based on our independent review of the entire file, we conclude that there are no arguable issues on appeal. Finding no error, we affirm.

FACTS

On February 10, 2014, Sheriff's Deputies responded to a request for assistance from Universal CityWalk security guards who were attempting to detain appellant and a companion for urinating in an elevator. Upon arrival a Deputy Sheriff requested appellant and his companion step out of the elevator. They refused and appellant's companion yelled "fuck you, fuck you." Both men were combative, uncooperative, and "just stared" at the deputy. With the assistance of the security guards appellant and his companion were removed from the elevator. The deputy smelled alcohol on appellant's breath, and arrested him for public intoxication (Pen. Code, § 647, subd. (f).)

Incident to the arrest, appellant was searched and cocaine was recovered from his right front pants pocket.

Based on the totality of the circumstances the trial court denied appellant's suppression motion.

DISCUSSION

Appellant filed a timely notice of appeal, and we appointed counsel to represent him on appeal. Appellant's counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, and requested this court to independently review the record on appeal to determine whether any arguable issues exist.

On September 15, 2015, we sent a notice to appellant, advising him he had 30 days in which to personally submit any contentions or issues which he wished us to consider. No response has been received from appellant to date.

We have examined the entire record and are satisfied appellant's attorney has fully complied with her responsibilities and no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The trial court's judgment is affirmed.

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KIRSCHNER, J.*

We concur:

TURNER, P.J.

MOSK, J.

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