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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.

ADRIAN DAMICO MOON,

Defendant and Appellant.

B265832

(Los Angeles County
Super. Ct. No. BA362256)

THE COURT:*

Appellant Adrian Damico Moon was charged and convicted of perjury. (Pen. Code, § 118, subd. (a); *People v. Moon* (Nov. 2, 2011, B228146) [nonpub. opn.].) On April 27, 2015, appellant filed an ex parte emergency motion for appointment of federal public defender pro bono Sean Kennedy and Gerald Salseda as counsel for representation for resentencing and dismissal motion pending before the court. That motion was denied on the grounds that (1) “Minute order record check show no pending action in state court in either case,” and (2) the trial court lacked jurisdiction to appoint a federal public defender to represent appellant. It seems that the same motion was again denied for the same reasons on June 10, 2015. Appellant also filed an application to reduce his felonies

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

to misdemeanors pursuant to Proposition 47; that motion was denied on the grounds that Penal Code section 118 is not an eligible offense for reduction. While appellant filed a request for probable cause, he did not secure one from the trial court.

Appellant timely filed a notice of appeal.

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 January 28, 2016, we advised appellant that he had 30 days within which to personally submit any contentions or issues for us to consider. To date, no response has been received.

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

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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