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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

DAVID GREGORY L. GRAY-
HALL,

Defendant and Appellant.

B269008

(Los Angeles County
Super. Ct.

No. MA050635-01)

APPEAL from a judgment of the Superior Court of
Los Angeles County, Charles A. Chung, Judge. Affirmed.

Elana Goldstein, under appointment by the Court of
Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant David G. Gray-Hall pled no contest to second degree robbery. Pursuant to the agreed disposition, the trial court sentenced him to five years in state prison. However, the court suspended execution of the sentence and placed defendant on three years formal probation. Thereafter, defendant's probation was revoked and reinstated twice. After defendant was found in violation of probation on a third occasion, the court imposed the five-year prison term. Defendant's appellate counsel filed a brief in which no issues were raised. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*)). We affirm the judgment.

BACKGROUND

By complaint filed October 13, 2010, defendant was charged with a single count of second degree robbery, a felony. (Pen. Code, § 211). On October 25, 2010, defendant pled no contest to the charged offense. On November 15, 2010, pursuant to the negotiated plea agreement, the trial court sentenced defendant to a total of five years in state prison, suspended execution of the sentence, and placed him on formal probation for three years with certain terms and conditions. The suspended sentence reflected the upper term of five years for the robbery charge.

On July 14, 2011, defendant's probation was reinstated after he admitted violating probation in connection with his arrest for commercial burglary. On February 7, 2014, defendant's probation was revoked and reinstated again after he admitted violating probation for failing to report to the Probation Office; defendant was ordered to report to the Probation Office within 48 hours after he completed and was released from a residential mental health program. Although defendant successfully completed the residential program, his probation was revoked on October 29, 2015 after he failed to report to the Probation Office to enroll in an after-care program. After a contested probation violation hearing on December 4, 2015, the court found defendant in violation of probation for not reporting to his probation officer. Noting that it had given defendant

“multiple breaks” before, the court imposed the five-year suspended prison term.

Defendant filed a timely notice of appeal. We appointed counsel to represent him on appeal. On August 3, 2016, defendant’s appellate counsel filed a *Wende* brief. Defendant was apprised of his right to file a supplemental brief but has not done so. Upon review of the record for potential error, we conclude no arguable issues are presented for review and affirm the judgment.

DISPOSITION

The judgment is affirmed.

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LAVIN, J.

WE CONCUR:

EDMON, P. J.

ALDRICH, J.