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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.

ANDRE MARCHELLE MORRIS,

Defendant and Appellant.

B269166

(Los Angeles County  
Super. Ct. No. TA120471)

Appeal from an order of the Superior Court of Los Angeles County, John J. Lonergan, Jr., Judge. Affirmed.

Daniel Milchiker, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant, Andre Marchelle Morris, appeals from an order denying his Penal Code<sup>1</sup> section 1170.18, subdivision (a) resentencing petition. We affirm the order.

We appointed counsel to represent defendant on appeal. After examining the record, appointed appellate counsel filed an “Opening Brief” in which no issues were raised. Instead, appointed appellate counsel requested this court independently review the entire record on appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441. (See *Smith v. Robbins* (2000) 528 U.S. 259, 277-284.) On April 5, 2016, we advised defendant that he had 30 days within which to personally submit any contentions or arguments he wished us to consider. No response has been received. We have examined the entire record and are satisfied appointed appellate counsel has fully complied with his responsibilities.

Defendant’s resentencing petition references case Nos. TA107971 and TA120471. In case No. TA107971, defendant was convicted of possessing or purchasing cocaine base for sale in violation of Health and Safety Code section 11351.5. In case No. TA120471, defendant pled no contest to attempted murder (§§ 664, 187) and corporal injury to a cohabitant (§ 273.5, subd. (a)). Defendant further admitted inflicting great bodily injury on the victim. (§ 12022.7, subd. (e).) Defendant is ineligible for resentencing because none of the foregoing offenses is among those specified section 1170.18, subdivision (a). Accordingly, the trial court properly denied the petition.

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<sup>1</sup> Unless otherwise noted, future statutory references are to the Penal Code.

The order is affirmed.

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TURNER, P.J.

We concur:

KRIEGLER, J.

BAKER, J.