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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

DANNY JOE GONZALES,

Defendant and Appellant.

2d Crim. No. B272305
(Super. Ct. No. 2015017096)
(Ventura County)

Danny Joe Gonzales appeals his conviction by plea to battery (Pen. Code, § 242)¹ and riot in a prison or jail (§ 404, subd. (b)). Pursuant to the negotiated plea, appellant admitted a gang enhancement (§ 186.22, subd. (d)), a prior strike conviction (§§ 667, subs. (c)(1) & (e)(1); 1170.12, subs. (a)(1) & (c)(1)), three prior prison term enhancements (§ 667.5, subd. (b)), and was sentenced to eight years four months state prison. Appellant was ordered to pay, among other things, a \$600 restitution fine (§ 1202.4, subd. (b)), a \$600 parole revocation fine (§ 1202.45), a \$80 court security fee (§ 1465.8, subd. (a)(1)), a \$60 criminal conviction assessment (Gov. Code, § 70373), and a \$475.90 Criminal Justice Administrative fee (§ 1203.096).

¹ All statutory references are to the Penal Code unless otherwise stated.

We appointed counsel to represent appellant on this appeal. After examination of the record, counsel filed an opening brief in which no issues were raised. On August 5, 2016, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. We have received no response from appellant.

The probation report and preliminary hearing transcript reflect that appellant, a gang member, stabbed an inmate in the forehead with a pencil during a jail riot at the Ventura County Jail.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 125-126.)

The judgment is affirmed.

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YEGAN, Acting P.J.

We concur:

PERREN, J

TANGEMAN, J

Bruce A. Young, Judge

Superior Court County of Ventura

Jonathan B. Steiner, Executive Director, Richard B. Lennon, Staff
Attorney, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Respondent.