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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Tehama)

THE PEOPLE,

Plaintiff and Respondent,

v.

TERRY LEE GRAYSON,

Defendant and Appellant.

C068294

(Super. Ct. No.
NCR78403)

This is an appeal after remand for resentencing and pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).

In our nonpublished opinion in *People v. Grayson* (Jan. 11, 2011, C065333), this court determined that the trial court imposed an unauthorized sentence when it stayed four consecutive one-year prison terms. We reversed that portion of the sentence of defendant Terry Lee Grayson and remanded so that the trial court could exercise its discretion whether to impose or strike the prior prison terms in compliance with Penal Code section 1385, subdivision (a). On remand, the trial court imposed one year for each of the four prior prison term enhancements, which, when added to defendant's midterm sentence

of two years for possession of a controlled substance, resulted in an aggregate term of six years in state prison.

Defendant appeals.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.¹

DISPOSITION

The judgment is affirmed.

RAYE, P. J.

We concur:

MURRAY, J.

DUARTE, J.

¹ Defense appellate counsel sought and obtained correction of defendant's custody credit to account for defendant's time spent in prison between the date of his original sentencing and the date of resentencing as well as time spent on a parole violation.