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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yolo)

THE PEOPLE,

Plaintiff and Respondent,

v.

ARTURO JOHNNY MORALES,

Defendant and Appellant.

C068806

(Super. Ct. No.
110943)

Appointed counsel for defendant Arturo Johnny Morales has asked this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*)). We find no errors and no concerns regarding presentence credit. We shall affirm the judgment.

BACKGROUND

On February 21, 2011, defendant Arturo Johnny Morales and codefendant Diego Hurtado assaulted their victim and took his

cell phone and backpack. Defendant and Hurtado were both members of the Del Paso Heights Norteño gang.

Defendant pled no contest to second degree robbery (Pen. Code, §§ 211, 212.5, subd. (c)) and actively participating in a criminal street gang (Pen. Code, § 186.22, subd. (a)) with a maximum term of five years and eight months. The trial court sentenced defendant to five years and eight months in state prison, imposed various fines and fees, and awarded 131 days of presentence credit (114 actual and 17 conduct).

Defendant appeals. He did not obtain a certificate of probable cause.

DISCUSSION

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 has elapsed, and we have 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.

DISPOSITION

The judgment is affirmed.

DUARTE, J.

We concur:

RAYE, P. J.

NICHOLSON, J.