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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Trinity)

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THE PEOPLE,

Plaintiff and Respondent,

v.

FRANKY VICTOR GREGER,

Defendant and Appellant.

C068925

(Super. Ct. No.  
10F154)

Because this matter was resolved by plea, our statement of facts is taken from the probation officer's report. In September 2010, California Highway Patrol officers observed defendant Franky Victor Greger driving his car over the painted white roadway edge line and the double yellow center lines. Upon contacting defendant, one of the officers noticed a strong odor of marijuana. A search of the car yielded four large plastic bags containing marijuana buds. The four bags together

weighed approximately four pounds. Defendant stated he had purchased the marijuana in Eureka.

Defendant pleaded guilty to possession of concentrated cannabis. (Health & Saf. Code, § 11357, subd. (a).) In exchange, two related counts were dismissed.

Imposition of sentence was suspended and defendant was placed on probation for three years on the condition, among others, that he serve 180 days of incarceration with two days' custody credit and zero days' conduct credit. He was ordered to pay a \$500 fine, a \$975 penalty assessment, a \$100 state surcharge (Pen. Code, § 1465.7), a \$50 DNA identification fund fee (Gov. Code, § 76104.60), a \$50 DNA fingerprint fee (Gov. Code, § 76104.7), a \$200 restitution fine (Pen. Code, § 1202.4), a \$200 restitution fine suspended unless probation is revoked (Pen. Code, § 1202.44), a \$50 laboratory analysis fee (Health & Saf. Code, § 11372.5, subd. (a)), and a \$121 criminal justice administration fee (Gov. Code, § 29550.2).

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. (*People v. Wende* (1979) 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.

DISPOSITION

The judgment is affirmed.

\_\_\_\_\_ HULL \_\_\_\_\_, Acting P. J.

We concur:

\_\_\_\_\_ BUTZ \_\_\_\_\_, J.

\_\_\_\_\_ MAURO \_\_\_\_\_, J.