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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yuba)

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THE PEOPLE,

Plaintiff and Respondent,

v.

STEVEN SHAUN KNOEFLER,

Defendant and Appellant.

C069326

(Super. Ct. No. CRF11343)

Defendant pled no contest to second degree murder and admitted using a dangerous and deadly weapon during the commission of the crime. In exchange for his plea, the People agreed to a stipulated term of 16 years to life in state prison. Defendant was awarded 43 days of custody credit and ordered to pay various fines and fees. Defendant appeals without a certificate of probable cause.

FACTS

Following his release from jail in April 2008, defendant and his son, Steven, Jr., were at home when Vanessa Hobbs, defendant's ex-girlfriend came to the home intoxicated.

Defendant asked Vanessa to leave but she refused. A fight ensued and defendant told Steven, Jr., to leave the room.

Defendant then beat Vanessa. She begged to leave; he told her he would not go back to jail. Defendant continued to beat Vanessa, even breaking her arm with an electric guitar.

Defendant then dragged Vanessa by the hair into "the bedroom area" where he repeatedly smashed Vanessa in the face and head with a dumbbell.

Having witnessed the beating, Steven, Jr., was hiding and afraid for his life. Defendant found Steven, Jr., and told him to get a tarp, shovel, and duct tape; scared, the child complied. Defendant then ordered Steven, Jr., to dig a hole in the front yard. Again, Steven, Jr., complied; when he returned to the house, defendant had wrapped Vanessa's body in the tarp and strapped it closed with the duct tape. Defendant had Steven, Jr., help him put the body into a van, defendant then drove around the property until he decided to put the body into an abandoned refrigerator located on the property. He then threatened Steven, Jr., to keep Steven, Jr., from reporting the crime.

Defendant then returned to the house. He burned the blood soaked carpet and Vanessa's personal property. He took the three dumbbells he used to beat Vanessa with, put them into a bag, and threw them back into the blackberry patch behind the house.

Thirty days later, defendant took Steven, Jr., and removed Vanessa's body from the refrigerator. He then put the

decomposed body into a black garbage bag and buried it in the hole Steven, Jr., had dug a month earlier. Again, defendant threatened Steven, Jr., and he continued to do so for a few years. In June 2011, however, Steven, Jr., came forward and reported the murder.

The Yuba County Sheriff's Department found Vanessa's body where Steven, Jr., said it was buried. An autopsy of the body revealed that Vanessa's arm was broken and her skull shattered into 64 pieces. Defendant was interviewed and admitted he killed Vanessa. Defendant was arrested and subsequently charged with murder in the second degree. It was further alleged that defendant used a dangerous and deadly weapon during the commission of his crime.

Counsel filed an opening brief setting forth the facts of the case and asking 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 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.

\_\_\_\_\_ ROBIE \_\_\_\_\_, Acting P. J.

We concur:

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

\_\_\_\_\_ HOCH \_\_\_\_\_, J.