

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yuba)

THE PEOPLE,

Plaintiff and Respondent,

v.

VERNON KEITH PETTY,

Defendant and Appellant.

C070189

(Super. Ct. No.
CRF10-423)

Defendant Vernon Keith Petty cashed a forged check for \$611.84 on May 21, 2008. He pled no contest to forgery (Pen. Code, § 470, subd. (d)). The trial court placed him on three years' formal probation subject to various conditions. Probation was later reinstated after he admitted to violating probation by using controlled substances and failing to submit to drug testing.

Defendant subsequently admitted violating his probation after he was discharged from his residential drug treatment program for pilfering and fighting. The trial court terminated

probation and sentenced defendant to two years in county jail, imposed various fines and fees, and awarded 398 days of presentence credit (220 actual and 178 conduct).

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

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.

NICHOLSON, Acting P. J.

We concur:

BUTZ, J.

MAURO, J.