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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yuba)

THE PEOPLE,

Plaintiff and Respondent,

v.

JOEY DAVID JAY,

Defendant and Appellant.

C070532

(Super. Ct. Nos.
CRF11652, CRF11512)

Defendant Joey David Jay pled no contest to second degree robbery in exchange for the dismissal of a second count charging making criminal threats and a guaranteed maximum sentence of no more than two years. Defendant was sentenced to two years plus an additional effective term of eight months consecutive in an unrelated case.¹ The court awarded defendant 174 days of presentence custody credit for both cases. The court also imposed various fines and fees as set forth in the abstract of judgment.

¹ Defendant received a consecutive term in the second case because he had been on probation for five days when he committed the robbery in the present case.

FACTUAL BASIS FOR THE PLEA

On November 26, 2011, defendant entered a Radio Shack store, cut the security cable connected to an electronic tablet, and fled with the tablet. The store keeper ran after defendant but gave up the chase when defendant threatened to stab him.

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. (*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 filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant. We have undertaken an examination of the entire record and find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

ROBIE, J.

We concur:

RAYE, P. J.

MURRAY, J.