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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Yolo)

THE PEOPLE,

Plaintiff and Respondent,

v.

YESENIA GONZALES,

Defendant and Appellant.

C070995

(Super. Ct. No. CRF114818)

Appointed counsel for defendant Yesenia Gonzales has asked this court to review the record to determine whether there exist any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*)). Our review of the record has revealed the need for changes to the order of probation. These changes do not affect the judgment, which we affirm.

BACKGROUND

In August 2011, someone stole Kenneth Snow's checkbook, containing check numbers 2307 through 2360. About one month later, defendant entered a check cashing facility and attempted to cash check number 2309, payable from Kenneth Snow to

defendant in the amount of \$480. Defendant told the store manager that Snow was lending her money to pay her rent. Snow did not know defendant, did not write her a check, and did not give anyone permission to write her a check.

The People charged defendant with second degree burglary (Pen. Code, § 459) and possession of a completed check with intent to defraud (Pen. Code, § 475, subd. (c)). A jury found her guilty as charged. The trial court suspended imposition of sentence and placed defendant on probation for two years on the condition, among others, that she serve 180 days in county jail, with 60 days stayed. Defendant was also ordered to pay a restitution fine of \$240, and the same amount stayed (Pen. Code, §§ 1202.4, subd. (b), 1202.44), plus a processing fee of \$20 for each felony case. The probation order further indicates defendant was ordered to pay “\$500 as a fine plus \$1,500 penalty assessment; plus a processing fee of \$35.”

Defendant’s appellate counsel moved the trial court to reduce the restitution fine from \$240 to \$200. Relying on our decision in *People v. High* (2004) 119 Cal.App.4th 1192 (*High*), counsel also requested the trial court provide an accounting of the “penalties and assessments levied in this case.” Counsel specifically requested the trial court provide a statutory basis and breakdown of the \$500 fine and \$1,500 penalty assessment.

The trial court lowered the restitution fine from \$240 to \$200 by minute order. The court also provided a document generally describing the various fee and assessment statutes, and ordered that document be attached to the probation order.

DISCUSSION

Counsel filed an opening brief that sets forth the facts of the case and asks us to determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Counsel advised defendant of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant. We have, however, undertaken an examination of the entire record and found continuing errors in the probation order.

The probation order includes a \$500 fine, \$1,500 penalty assessment, and \$35 processing fee but does not specify the statutory bases for these payment orders. The document provided by the trial court did not cure this defect.

As we held in *High, supra*, 119 Cal.App.4th 1192, the trial court is required to prepare an order that specifies “the statutory bases of all fees, fines, and penalties imposed upon defendant.” (*People v. Eddards* (2008) 162 Cal.App.4th 712, 718.) The document that the trial court ordered attached to the probation order does not do so, but is merely a general recitation of available statutory bases. Its inclusion in the record as an attachment to the probation order does not satisfy the requirements of *High* and *Eddards*.

Having undertaken an examination of the entire record, we find no other arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed. The trial court is directed to amend the probation order by specifying the amounts and statutory bases of *all* fines, fees, and assessments therein and to provide a copy of the amended order to the Yolo County Sheriff’s Department and the Chief Probation Officer of Yolo County.

DUARTE, J.

We concur:

BUTZ, Acting P. J.

MURRAY, J.