

NOT TO BE PUBLISHED

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

THE PEOPLE,

Plaintiff and Respondent,

v.

JORGE ROGELIO FIGUEROA,

Defendant and Appellant.

C071449

(Super. Ct. No. NCR82759)

Appointed counsel for defendant Jorge Rogelio Figueroa has filed an opening brief that sets forth the facts of the case and asks this court to review the record and determine whether there are any arguable issues on appeal.¹ (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, we shall affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

¹ 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 have elapsed, and we have received no communication from defendant.

On October 7, 2011, defendant was stopped for a traffic infraction and found to be carrying nearly four pounds of marijuana in his van. He also had two bindles of methamphetamine in his sock. Defendant and his two passengers were arrested.

Defendant entered into a negotiated plea of no contest to possession of marijuana for sale (Health & Saf. Code, § 11359) with a stipulated two-year sentence and an agreement to dismiss the remaining charges and complaints against his two codefendants.

In accordance with the plea agreement, the trial court sentenced defendant to two years, to be served locally pursuant to Penal Code section 1170, subdivision (h)(5)(A). The trial court also ordered defendant to pay various fines and fees and awarded him a total of five days of presentence custody credit. Defendant was ordered to register pursuant to Health and Safety Code section 11590 and to provide samples pursuant to Penal Code section 296, subdivision (a)(1).

Defendant appeals. He did not obtain a certificate of probable cause. (Pen. Code, § 1237.5.)

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.

BUTZ, J.

We concur:

ROBIE, Acting P. J.

DUARTE, J.