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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yolo)

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER SCOTT MCCLEAN,

Defendant and Appellant.

C074336

(Super. Ct. No. CRF120212)

This case comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). Having reviewed the record as required by *Wende*, we 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.)

FACTUAL AND PROCEDURAL BACKGROUND

On January 17, 2012, defendant Christopher Scott McClean was stopped for a traffic violation. Officers determined an active restraining order was in place, protecting the passenger in the vehicle. A search of the vehicle revealed 0.07 grams of

methamphetamine, a usable quantity. Defendant pleaded no contest to transporting a controlled substance (Health & Saf. Code, § 11379, subd. (a)), and a misdemeanor violation of a court order (Pen. Code, § 273.6, subd. (a)). The trial court granted defendant probation. Among the conditions of probation, the trial court ordered defendant to enter and successfully complete a mandatory residential drug treatment program.

On October 31, 2012, the probation officer filed a petition for violation of probation alleging defendant had not been in contact with the probation office, voluntarily left a drug treatment program two weeks after entering it, and failed to register as a drug offender. The trial court revoked probation. On April 30, 2013, defendant admitted the probation violations and the trial court reinstated probation on the same terms and conditions, including the requirement of residential drug treatment. Defendant was transported to a residential drug treatment program on May 7, 2013, and left the program within 30 minutes. The probation officer filed another petition for violation of probation and defendant admitted he had violated probation. The trial court sentenced defendant to the upper term of four years on the transportation charge and a concurrent 180 days on the misdemeanor violation of a protective order. The trial court ordered this sentence be served locally, as a split sentence. The trial court awarded defendant 249 days of presentence custody credit and ordered him to pay various fines and fees.

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

WENDE REVIEW

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. (*Wende, supra*, 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 have elapsed, and we have 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.

MURRAY, J.

We concur:

RAYE, P. J.

DUARTE, J.