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

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSEPH EUGENE HAMMETT,

Defendant and Appellant.

C075371

(Super. Ct. No. CM039426)

On August 30, 2013, a Chico police officer observed defendant Joseph Eugene Hammett, whom the officer knew to be on parole. After conducting a parole search, the officer ran a records check which revealed that the bicycle in defendant's possession had been reported stolen.¹

¹ Because the matter was resolved by plea, our statement of facts is taken from the probation officer's report.

Defendant pleaded guilty to receiving stolen property. (Pen. Code, § 496, subd. (a).) In exchange, a prior prison term allegation (*id.*, § 667.5, subd. (b)) was dismissed with a *Harvey* waiver.²

Defendant was sentenced to county jail (Pen. Code, § 1170, subd. (h)(1), (2)) for the upper term of three years, awarded 52 days of custody credits and 52 days of conduct credits (*id.*, § 4019), ordered to make restitution to the victim, and ordered to pay a \$280 restitution fine (*id.*, § 1202.4), a \$40 court operations fee (*id.*, § 1465.8, subd. (a)(1)), and a \$30 court facilities assessment (Gov. Code, § 70373).

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 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.

BUTZ, J.

We concur:

HULL, Acting P. J.

MURRAY, J.

² *People v. Harvey* (1979) 25 Cal.3d 754.