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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT

(Shasta)

THE PEOPLE,

Plaintiff and Respondent,

v.

PATRICK ANDREW TENERELLI,

Defendant and Appellant.

C076087

(Super. Ct. No. 13F7373)

Appointed counsel for defendant Patrick Andrew Tenerelli asks this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*)). After reviewing the entire record, we affirm the judgment.

On November 14, 2013, Lonna Smith, who was renting a room from defendant, awoke early in the morning to defendant engaged in a heated argument with Anthony Helean. She returned to her bedroom shortly thereafter, but soon heard a loud popping

sound like a gunshot. She investigated and found holes in one of the walls and defendant standing in the living room with Helean. Fearing she may be shot, Smith fled the room. She heard three additional gunshots as she fled.

Police found a bullet hole and spent shell casings in the living room. When defendant was later arrested, he was found possessing a partially loaded firearm magazine. A .38-caliber revolver was found in defendant's master bedroom and a .38-caliber pistol and a shotgun were found in his car. Defendant has a prior felony conviction.

Helean sustained two gunshot wounds. He admitted being with defendant in the house, but did not identify defendant as the person who shot him.

Defendant pled no contest to being a felon in possession of a firearm and negligent discharge of a firearm. (Pen. Code, §§ 29800, subd. (a), 246.3, subd. (a).) The trial court imposed a stipulated state prison term of three years eight months, ordered various fines and fees, and awarded 236 days of presentence custody credits (118 actual and 118 conduct).

Defendant appeals. He did not obtain a certificate of probable cause.

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 elapsed, and we 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.

HOCH, J.

We concur:

MAURO, Acting P. J.

MURRAY, J.