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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

THE PEOPLE, Plaintiff and Respondent, v. JUSTIN DOUGLAS BRYANT, Defendant and Appellant.	C077163 (Super. Ct. No. 14F02400)

This is an appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436.

At approximately 10:30 p.m. on April 6, 2014, defendant Justin Douglas Bryant ran a red light, exceeded the speed limit, weaved from lane to lane around cars without signaling, and failed to yield to an officer who attempted to stop him with lights and a siren. Defendant drove to a residential area, parked on the lawn of his home, got out of his car, and walked quickly to the front door, ignoring the officer's repeated orders to stop. The officer was able to grab defendant and take him to the ground. A half-empty can of beer sat between the driver's seat and the center console. Defendant admitted to

drinking five to seven beers during the day. A preliminary alcohol screening test revealed defendant's blood alcohol content was 0.11 percent. A subsequent test at the jail revealed a 0.08 percent blood alcohol content.

A jury convicted defendant of driving under the influence (Veh. Code, § 23152, subd. (a); count one), driving with a blood alcohol content of 0.08 percent or more (Veh. Code, § 23152, subd. (b); count two), and felony evading an officer (Veh. Code, § 2800.2, subd. (a); count three). In bifurcated proceedings, the court found a prior driving under the influence conviction within the previous 10 years to be true (Veh. Code, § 23550.5).

The court sentenced defendant to state prison for an aggregate term of three years eight months, that is, the upper term of three years for count one and a consecutive one-third the midterm, or eight months, for count three. The court stayed sentence on count two.

Defendant appeals.

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, 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.

NICHOLSON, Acting P. J.

We concur:

ROBIE, J.

MURRAY, J.