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NOT TO BE PUBLISHED

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

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

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THE PEOPLE,

Plaintiff and Respondent,

v.

SABRINA JEAN FOWLAR,

Defendant and Appellant.

C078222

(Super. Ct. No. CRF1451)

Appointed counsel for defendant Sabrina Jean Fowler has asked this court to review the record to determine whether there exist any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, 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.)

Defendant was charged by criminal complaint with second degree robbery (Pen. Code, § 211),<sup>1</sup> unlawful taking or driving of a motor vehicle (Veh. Code, § 10851, subd. (a)), criminal threats (§ 422), and dissuading a witness (§ 136.1, subd. (b)). The complaint alleged, as to the robbery charge, defendant previously sustained a felony conviction within the meaning of section 667, subdivisions (d) and (e), and section 1170.12, subdivisions (b) and (c). The complaint further alleged defendant was ineligible for a prison sentence served in county jail pursuant to section 1170, subdivisions (h)(3) and (f).

Defendant pleaded no contest to unlawfully taking or driving a motor vehicle in exchange for dismissal of the remaining counts and allegations, and defendant's agreement to complete a six-month residential treatment program, at the conclusion of which defendant would be allowed to withdraw her plea and have the charge dismissed. The factual basis to substantiate the plea is as follows:

On January 17, 2014, defendant and codefendant, Jonathan Ludwick, drove to the home of a mutual friend looking for Ludwick's ex-girlfriend, who Ludwick believed had "ripped him off of a bunch of property" while he was incarcerated. Ludwick took the victim's vehicle without the victim's consent and drove it away. Defendant aided and abetted by driving the other vehicle away.

Defendant entered a residential treatment program on June 23, 2014, but left the program prior to completing it.

Defendant filed a motion to reduce her felony conviction to a misdemeanor pursuant to section 1170.18, subdivisions (f) and (g). The court denied the motion.

The trial court denied probation and sentenced defendant to serve three years in state prison. The court also imposed a \$900 restitution fine (§ 1202.4), a \$900 parole

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<sup>1</sup> Undesignated statutory references are to the Penal Code.

revocation fine, stayed pending successful completion of parole (§ 1202.45), a \$30 criminal conviction assessment (Gov. Code, § 70373), and a \$40 court operations assessment (§ 1465.8), and reserved the issue of victim restitution (§ 1202.46). The court awarded defendant 409 days of presentence custody credit (205 actual days plus 204 conduct credits).

Defendant filed a timely notice of appeal.

Counsel filed an opening brief that sets forth the facts of the case and requests that we 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 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.

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/s/  
HOCH, J.

We concur:

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/s/  
NICHOLSON, Acting P. J.

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/s/  
DUARTE, J.