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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yolo)

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THE PEOPLE,

Plaintiff and Respondent,

v.

CEASAR JULIUS GARZA,

Defendant and Appellant.

C078544

(Super. Ct. No. CRF145554)

Appointed counsel for defendant Ceasar Julius Garza asked 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*)). Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

I

A felony complaint charged defendant with stalking in violation of a court order (Pen. Code, § 646.9, subd. (b) -- count 1)<sup>1</sup> and stalking (§ 646.9, subd. (a) -- count 2). Defendant pleaded no contest to count 1 in return for the dismissal of count 2 and a stipulated three-year state prison sentence. As a factual basis to support the plea, the parties stipulated that between December 15, 2013 and November 12, 2014, defendant continuously called and harassed the victim and came to her home several times in a

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

manner that indicated a credible threat to the victim. When he did so, he was under a restraining order to stay away from the victim due to a prior incident involving her.

The trial court granted the People's motion to dismiss count 2, sentenced defendant to the stipulated term of three years in prison, awarded 184 days of presentence custody credit (92 actual days and 92 conduct days), and ordered defendant to pay a \$300 restitution fine (§ 1202.4, subd. (b)), a \$300 parole revocation fine (§ 1202.45), a \$40 court operations assessment (§ 1465.8), and a \$30 criminal conviction assessment (Gov. Code, § 70373).

## II

Appointed counsel filed an opening brief setting forth the facts of the case and asking 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 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.

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/S/  
Mauro, J.

We concur:

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/S/  
Nicholson, Acting P. J.

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/S/  
Butz, J.