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

(Modoc)

THE PEOPLE,

Plaintiff and Respondent,

v.

GLEN EDWARD DALEY,

Defendant and Appellant.

C078759

(Super. Ct. No. F07493)

This case comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). Having reviewed the record as required by *Wende*, we affirm the judgment.

BACKGROUND

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 Glen Edward Daley pleaded guilty to four counts of possessing an illegal weapon (Pen. Code, § 12020, subd. (a)(1)),¹ two counts of unlawful possession of a machine gun (§ 12220, subd. (a)), and one count of unlawful possession of an assault weapon (§ 12280, subd. (b)). In February 2010 the trial court sentenced him to six years in state prison, suspended execution of sentence, and placed him on probation for a period of five years with various terms and conditions. Among the terms and conditions of defendant's probation were that he obey all laws and not own or have in his possession or control any firearm.

In August 2014 a probation violation petition was filed. According to the petition, defendant took possession of several firearms from Laurie Prock as collateral for a loan, but never provided Prock the loan or returned the firearms.² Following a contested probation revocation hearing, the trial court determined that defendant had violated the conditions of his probation. The trial court revoked and reinstated probation on the original terms and conditions, and added two conditions: the probation term was extended by one year, and defendant was ordered to pay victim restitution in the amount of \$3,100.

Defendant filed a timely notice of appeal.

DISCUSSION

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 from the date the opening brief was filed. To date, defendant has not filed a

¹ Undesignated statutory references are to the Penal Code.

² In October 2014 two additional probation violation petitions were filed. However, because these petitions were dismissed, they are irrelevant to the resolution of this appeal.

supplemental brief. Having undertaken an examination of the entire record pursuant to *Wende*, we find no arguable error that would result in a disposition more favorable to defendant. Consequently, we affirm the judgment. (*Wende, supra*, 25 Cal.3d at p. 443.)

DISPOSITION

The judgment is affirmed.

_____ RAYE _____, P. J.

We concur:

_____ BLEASE _____, J.

_____ DUARTE _____, J.