

NOT TO BE PUBLISHED

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

(Yolo)

THE PEOPLE,

Plaintiff and Respondent,

v.

ALAN DRUMMOND,

Defendant and Appellant.

C080510

(Super. Ct. No. CRF154449)

Appointed counsel for defendant Alan Drummond has filed an opening brief that sets forth the facts of the case and 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.) Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

BACKGROUND

On July 30, 2015, defendant was at a local casino and got into a disagreement with John Pulaski, a casino employee. Defendant punched Pulaski in the face. Pulaski was knocked off his feet, fell backward, and lost consciousness for about a minute. Pulaski was taken to the hospital for treatment for a broken orbital bone and a broken nose.

Defendant pleaded no contest to battery with serious bodily injury and admitted a prior strike and prior serious felony conviction. (Pen. Code, §§ 243, subd. (d), 667, subds. (a)(1), (c), & (e).)

Per the parties' agreement, defendant was sentenced to the lower term of two years, doubled pursuant to the strike, plus five years for the prior. The trial court awarded 32 days of presentence custody credit and imposed a \$300 restitution fine (Pen. Code, § 1202.4, subd. (b)), a corresponding parole revocation fine suspended unless parole is revoked (Pen. Code, § 1202.45), and various other fees and assessments. Defendant appealed, obtaining a certificate of probable cause.

DISCUSSION

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and asks us to determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Counsel advised defendant 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. We have undertaken an examination of the entire record and find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

/s/
Duarte, J.

We concur:

/s/
Robie, Acting P. J.

/s/
Renner, J.