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

In re N.G., a Person Coming Under the Juvenile Court
Law.

C081660

THE PEOPLE,

(Super. Ct. No. JV137278)

Plaintiff and Respondent,

v.

N.G.,

Defendant and Appellant.

Appointed counsel for minor N.G. 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; *In re Kevin S.* (2003) 113 Cal.App.4th 97, 119 [*Wende* procedure applies to appeals in juvenile delinquency cases].) Finding no arguable error that would result in a disposition more favorable to defendant, we will affirm the juvenile court's orders.

BACKGROUND

In April 2015, John Jennings saw his then 16-year-old neighbor, the minor, driving in the neighborhood. The minor was driving too fast and his car fishtailed while he was driving. He drove around a car entering a driveway, coming so close to Jennings' car that Jennings had to move out of the way. Later that evening, Nathan DiDonata saw a "white SUV type car" driving around the neighborhood. The car passed DiDonata at a high rate of speed and failed to stop at a stop sign before turning right and fishtailing through the turn. For about 15 to 20 minutes, while the car drove around the neighborhood, DiDonata could hear tires screeching. The car passed by DiDonata's car so closely that if DiDonata's car door had been open, he would have been hit.

Jennings saw the minor park the car in the driveway of his home. He blocked the car and called 911. Within a minute of each other, Officers Lemire and Washington arrived at the minor's address, responding to a reckless driver call. There was a white Honda Pilot parked there, backed into the driveway. The license plate matched that which had been reported to police. The car's hood was warm and the front grill emitted heat indicating the car had been recently driven. Jennings told Lemire that somebody often drove that vehicle recklessly and that the vehicle had driven past him at a high rate of speed and almost hit his wife.

The minor answered the door of the home. Officers observed the minor's eyes were bloodshot and watery, his speech was slurred, and he smelled strongly of alcohol. His blood-alcohol content (BAC) was tested at 0.062 and 0.065 percent. A forensic alcohol analyst testified that with that BAC, the minor could be too impaired to drive. Initially, the minor denied drinking or driving but later admitted to driving.

On July 1, 2015, a juvenile wardship petition filed under Welfare and Institutions Code section 602, subdivision (a) charged appellant with: driving under the influence of alcohol (Veh. Code, § 23152, subd. (a) - count one);¹ driving a vehicle with a blood-alcohol content of 0.05 percent or more (§ 23140, subd. (a) - count two); reckless driving (§ 23103, subd. (a) - count three); and exhibition of speed (§ 23109, subd. (c) - count four).

Following a contested jurisdictional hearing, the juvenile court found true counts one through three, and found insufficient evidence as to count four. The juvenile court designated counts one and three misdemeanors and count two an infraction, and placed the minor on six months of court probation (Welf. & Inst. Code, § 725, subd. (a)) under various conditions including 20 hours of community service, a one-year suspended license, and mandated participation in a drug or alcohol education program. The juvenile court issued a stay-away order in regard to John Jennings and imposed a \$100 restitution fine (Pen. Code, § 730.6).

DISCUSSION

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.) Counsel advised the minor 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 the minor. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to the minor.

¹ Further undesignated statutory references are to the Vehicle Code.

