

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

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 This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

SEAN CHARLES THORNTON,

Defendant and Appellant.

D059921

(Super. Ct. No. SCD231703)

APPEAL from a judgment of the Superior Court of San Diego County, Theodore M. Weathers, Judge. Affirmed.

Sean Charles Thornton entered a negotiated guilty plea to assault by means of force likely to produce great bodily injury (Pen. Code, § 245, subd. (a))¹ and admitted the appended enhancement of inflicting great bodily injury under circumstances involving domestic violence (§ 12022.7, subd. (e)). He also pleaded guilty to felony false imprisonment (§§ 236, 237) and admitted a prior strike conviction allegation. The court

¹ All statutory references are to the Penal Code.

sentenced him to the agreed prison term of eight years four months. Thornton appeals. We affirm the judgment.

FACTS

The victim, Debora Rivera, spent the night of January 5, 2011, with Thornton and in the morning they had an argument. Thornton struck Rivera in the face with his fist and on her head with a cane. She was taken to the hospital for treatment of bruises, contusions and lacerations.

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738. Counsel mentions as possible, but not arguable, issues: (1) whether Thornton's guilty plea in exchange for a stipulated sentence is constitutionally valid; and (2) whether Thornton's written waiver of appeal of any sentence stipulated in the plea agreement is valid. A certificate of probable cause was neither requested by Thornton nor issued by the trial court (§ 1237.5).

We granted Thornton permission to file a brief on his own behalf. He has not responded. A review of the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436 and *Anders v. California, supra*, 386 U.S. 738 has disclosed no reasonably arguable appellate issues. Thornton has been competently represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

McDONALD, J.

WE CONCUR:

McCONNELL, P. J.

McINTYRE, J.