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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

CORNELIUS JOHANNES WYNBERG,

Defendant and Appellant.

D060832

(Super. Ct. No. SCD228472)

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

BACKGROUND AND DISCUSSION

Cornelius Johannes Wynberg pleaded guilty to burglary (Pen. Code, § 459) and perjury (Pen. Code §118, subd. (a).) In exchange, he was sentenced to three years on probation. Wynberg appeals. We affirm.

Wynberg pleaded guilty; therefore, he cannot challenge the facts underlying the conviction. (Pen. Code, § 1237.5; *People v. Westbrook* (1996) 43 Cal.App.4th 220, 223-224.)

Appointed counsel has filed a brief summarizing the facts and proceedings below. Counsel presents no argument for reversal but asks that this court review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to possible but not arguable issues of (1) whether the trial court abused its discretion in denying Wynberg's motion to withdraw his guilty plea prior to sentencing; (2) whether the trial court abused its discretion in refusing to issue a certificate of probable cause; and, (3) whether his attorney in the trial court provided ineffective assistance of counsel regarding the change of plea.

We granted Wynberg permission to file a brief on his own behalf, which he did. In addition to the issues mentioned above, he claims: (1) there was a conflict of interest in the alternate public defender's office and therefore all actions by that office on his behalf should be redone; (2) certain information contained in the probation report is false; (3) he should not be required to pay probation fines and attorney fees to the alternate public defender's office; and (4) he did not receive adequate legal counsel on this appeal.

Pursuant to *People v. Wende, supra*, 25 Cal.3d 436 and *Anders v. California, supra*, 386 U.S. 738, we have reviewed the entire record, including the transcript of the change of plea hearing and the testimony adduced during Wynberg's motion to withdraw his plea. We also evaluated the possible issues referred to by appellate counsel and Wynberg, and the circumstances surrounding the court's taking of the plea. We conclude the record has disclosed no reasonably arguable appellate issues. Competent counsel has represented Wynberg on this appeal.

DISPOSITION

The judgment is affirmed.

O'ROURKE, J.

WE CONCUR:

McCONNELL, P. J.

McINTYRE, J.