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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

ANDY D. CHADWICK,

Defendant and Appellant.

D061690

(Super. Ct. No. SCD238389)

APPEAL from a judgment of the Superior Court of San Diego County, Laura W. Halgren, Judge. Affirmed.

Appellant Andy D. Chadwick pleaded guilty to selling/furnishing a controlled narcotic substance, cocaine base, in violation of Health and Safety Code section 11352, subdivision (a). He admitted that within the meaning of Health and Safety Code section 11370.2, subdivision (a) he had been previously convicted of a violation of Health and Safety Code section 11352. Pursuant to a stipulated agreement, he was sentenced to prison for six years; the lower term of three years and three years for the enhancement.

Chadwick was given 128 days' credit against the sentence and the court ordered a restitution fine of \$400. The court stayed an additional \$400 fine pending successful completion of parole.

Chadwick filed an amended notice of appeal on April 11, 2012, indicating the appeal was to be based on the sentence and matters occurring after the plea.

DISCUSSION

Chadwick's appointed appellate counsel has filed a brief setting forth the underlying facts and procedural history. He presents no argument for reversal but asks this court to review the record for error in accordance with *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to the following possible, but not arguable, issues: (1) Was Chadwick properly advised of his rights prior to entering his plea agreement? (2) Is there a factual basis for Chadwick's plea? (3) Was Chadwick sentenced consistent with the terms of the plea agreement?

We granted Chadwick permission to file a brief on his behalf and he has not done so.

We have examined the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436 and considered the possible issues referred to by appointed counsel. We find no reasonably arguable appellate issue.

We conclude Chadwick has been represented by competent counsel on appeal.

DISPOSITION

The judgment is affirmed.

BENKE, Acting P. J.

WE CONCUR:

NARES, J.

McINTYRE, J.