

NOT TO BE PUBLISHED IN OFFICIAL REPORTS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 This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.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.

JEFFEREY LEDBETTER,

Defendant and Appellant.

D062038

(Super. Ct. No. SCD238900)

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

Jefferey Ledbetter entered a negotiated guilty plea to using personal identifying information of another (Pen. Code, § 530.5, subd. (a)) and burglary (*id.*, § 459). The court imposed a stipulated sentence of two years in the custody of the sheriff: the two-year middle term for using identifying information of another, with a concurrent two-year middle term for burglary. Ledbetter appeals. We affirm.

BACKGROUND

Ledbetter obtained personal identifying information from another person, and used the information to commit a theft. Ledbetter entered a 7-Eleven store with intent to commit a theft.

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 (*Wende*). Pursuant to *Anders v. California* (1967) 386 U.S. 738 (*Anders*) counsel mentions as possible, but not arguable, issues: (1) whether Ledbetter's plea was constitutionally valid; (2) whether he was sentenced in accordance with his plea; (3) whether the court's admonitions on the record were sufficient to advise Ledbetter of his constitutional rights and to result in a knowing and intelligent waiver of those rights; (4) whether defense counsel was ineffective in not inquiring about Ledbetter's status as a veteran and not inquiring into a possible referral to veterans' court or a drug treatment program (Pen. Code, § 1170.9); (5) whether Ledbetter can demonstrate that prejudice resulted from counsel's failure to so inquire before Ledbetter entered his plea; (6) whether the court abused its discretion by not allowing Ledbetter to withdraw his guilty plea; and (7) whether the court had discretion to alter the plea bargain in response to Ledbetter's request for alternate sentencing.

We granted Ledbetter permission to file a brief on his own behalf. He has not responded. A review of the record pursuant to *Wende* and *Anders*, including the possible issues listed pursuant to *Anders*, has disclosed no reasonably arguable appellate issues. Ledbetter has been competently represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

MCDONALD, J.

WE CONCUR:

BENKE, Acting P. J.

IRION, J.