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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re DEREK V., a Person Coming Under
the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

DEREK V.,

Defendant and Appellant.

D062587

(Super. Ct. No. J228327)

APPEAL from a judgment of the Superior Court of San Diego County, Carlos Armour, Judge. Affirmed.

In April 2011 Derek V. (Minor) admitted a misdemeanor violation of Penal Code¹ section 626.10, subdivision (a), possessing a knife on school grounds, as alleged in a petition filed in the juvenile court. The Minor was placed on probation.

In May 2012 the Minor admitted a violation of section 243, subdivision (d), assault resulting in bodily injury, as alleged in a second petition filed in the juvenile

¹ All further statutory references are to the Penal Code unless otherwise specified.

court. The Minor was declared a ward of the court and placed on probation. In August 2012, the juvenile court conducted a restitution hearing and set restitution owed to the victim of the assault in the amount of \$28,920.

The Minor filed a timely notice of appeal.

Counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) and *Anders v. California* (1967) 386 U.S. 738 (*Anders*) raising possible, but not arguable issues. We offered the Minor the opportunity to file his own brief on appeal, but the Minor has not responded.

STATEMENT OF FACTS

On January 14, 2011, school officials observed a folding knife clipped to the Minor's waistband.

On January 16, 2012, the Minor and a male companion attacked Pablo Oliva in retaliation for an earlier assault by Oliva on Derek's friend. The Minor and his friend contacted Oliva, knocked him off of his bicycle and repeatedly punched and kicked him until police officers intervened. Oliva suffered a broken nose as a result of the assault.

DISCUSSION

As we have previously noted, appellate counsel has filed a brief indicating he is unable to identify any argument for reversal and asks this court to review the record for error as mandated by *Wende, supra*, 25 Cal.3d 436. Pursuant to *Anders, supra*, 386 U.S. 738, the brief identifies the possible, but not arguable issues:

1. Whether the juvenile court abused its discretion in denying the Minor's request for deferred entry of judgment; and

2. Whether the juvenile court abused its discretion in setting the amount of restitution.

We have reviewed the entire record in accordance with *Wende, supra*, 25 Cal.3d 436 and *Anders, supra*, 386 U.S. 738 and have not found any reasonably arguable appellate issues. Competent counsel has represented the Minor on this appeal.

DISPOSITION

The orders of the juvenile court are affirmed.

HUFFMAN, J.

WE CONCUR:

McCONNELL, P. J.

AARON, J.