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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

KRISTI KING SINDELAR,

Defendant and Appellant.

D063001

(Super. Ct. No. SCD237962)

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

Leslie A. Rose, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Pursuant to a plea agreement, defendant Kristi King Sindelar pled guilty to two counts driving under the influence of alcohol/drugs with three or more prior DUI convictions. (Veh. Code, § 23152, subd. (a).) With respect to one count, she also

admitted the truth of an allegation that she had a three strike prior within the meaning of Penal Code section 667, subdivisions (b) through (i). The trial court sentenced Sindelar to 40 months in prison, awarded her a total of 588 days of actual and Penal Code section 4019 credits, and imposed various fines and fees.

Appointed appellate counsel has filed a brief summarizing the 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. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel lists as possible, but not arguable, issues:

- 1) Whether the trial court erred in denying Sindelar's motion to dismiss under Penal Code section 995;
- 2) Whether Sindelar properly waived her right to appeal;
- 3) Whether Sindelar's plea was valid;
- 4) Whether there was a sufficient factual basis for Sindelar's plea;
- 5) Whether the trial court abused its discretion in denying Sindelar's motion to dismiss the three strike prior;
- 6) Notwithstanding Sindelar's waiver of her right to be sentenced by the judge who took her plea (see *People v. Arbuckle* (1978) 22 Cal.3d 749, 756-757), was a sentence imposed by a different judge proper;
- 7) Were Sindelar's custody credits calculated correctly; and
- 8) Did Sindelar's trial counsel provide effective assistance.

We granted Sindelar permission to file a brief on her own behalf. She has not responded. Our review of the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436,

and *Anders v. California, supra*, 386 U.S. 738, including the possible issues listed pursuant to *Anders v. California*, has disclosed no reasonably arguable appellate issues. In this regard, we note that the record amply supports her conviction, and at the time Sindelar entered her plea, she waived her right to appeal.

We find that Sindelar was adequately represented both at trial and on appeal.

DISPOSITION

The judgment is affirmed.

BENKE, J.

WE CONCUR:

McCONNELL, P. J.

AARON, J.