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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

KEITH COSBY,

Defendant and Appellant.

D064512

(Super. Ct. No. CR84617)

APPEAL from a judgment of the Superior Court of San Diego County,
Howard H. Shore, Judge. Affirmed.

Andrea S. Bitar, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.

Keith Cosby was convicted in 1988 of numerous counts, including two
counts of murder, and was sentenced to 33 years to life consecutive to a term of life
without the possibility of parole. In 2013, the court denied a motion by the

prosecution seeking an order imposing a victim restitution order in favor of the victim's wife under Penal Code section 1202.4, subdivision (f), but did impose a restitution fine of \$200 under Penal Code section 1202.4, subdivision (b). Cosby timely appealed the order imposing a restitution fine.

FACTS

In 2013, the wife of one of the murder victims sent a letter to the prosecutor seeking a restitution payment of \$12,516.25. The prosecution then filed a motion seeking victim restitution in the amount of \$10,000. The court ordered a restitution fine of \$200 under Penal Code section 1202.4, subdivision (b).

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 and *Anders v. California* (1967) 386 U.S. 738. Counsel identifies as a possible, but not arguable, issue: whether the trial court lacked jurisdiction to impose a restitution fine.

We granted Cosby permission to file a supplemental brief on his own behalf, but he has not responded. A review of the record pursuant to *People v. Wende*, *supra*, 25 Cal.3d 436 and *Anders v. California*, *supra*, 386 U.S. 738 has disclosed no reasonably arguable appellate issues. Cosby has been competently represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

McDONALD, J.

WE CONCUR:

NARES, Acting P. J.

IRION, J.