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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

REGINALD VILLALUZ FRANCISCO,

Defendant and Appellant.

D064818

(Super. Ct. No. SCD247415)

APPEAL from a judgment of the Superior Court of San Diego County, Dwayne K. Morning, Judge. Affirmed.

William D. Farber, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

Reginald Villaluz Francisco appeals from the judgment following his guilty plea. Appointed appellate counsel filed a brief presenting no argument for reversal, but inviting this court to review the record for error in accordance with *People v. Wende* (1979) 25

Cal.3d 436 (*Wende*). Francisco has not responded to our invitation to file a supplemental brief. After having independently reviewed the entire record for error as required by *Anders v. California* (1967) 386 U.S. 738 (*Anders*) and *Wende*, we affirm.

## I

### FACTUAL AND PROCEDURAL BACKGROUND

In July 2013, Francisco was charged in an amended complaint with 14 counts of committing a lewd act upon a child under the age of 14 (Pen. Code, § 288, subd. (a)), including allegations for each count that Francisco committed an offense against more than one victim (*id.*, § 667.61 subds. (b), (c), (e)) and that he had substantial sexual conduct with the victim in counts 1 through 12 (*id.*, § 1203.066, subd. (a)(8)). Francisco was also charged with one count of attempting to commit a lewd action upon a child under the age of 14. (*Id.*, §§ 288, subd. (a), 664.) The crimes involved two different victims and took place between 2004 and 2011.

Francisco pled guilty to each of the counts and admitted the allegations of substantial sexual contact for counts 1 through 12, with the express understanding that he could receive a maximum term of 35 years in prison as well as pay fines and restitution. The People dismissed the balance of the complaint. The written plea form contained Francisco's description of the factual basis for his plea, tracking the substance of the counts alleged against him.

The trial court sentenced Francisco to prison for a term of 35 years and ordered Francisco to pay fines and restitution. Francisco filed a notice of appeal.

## II

### DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings in the trial court. Counsel presented no argument for reversal but invited this court to review the record for error in accordance with *Wende, supra*, 25 Cal.3d 436. Pursuant to *Anders, supra*, 386 U.S. 738, counsel identified as a possible but not arguable issue whether counts 1 through 14 were barred by the statute of limitations.

After we received counsel's brief, we gave Francisco an opportunity to file a supplemental brief, but Francisco did not respond.

A review of the record pursuant to *Wende, supra*, 25 Cal.3d 436, and *Anders, supra*, 386 U.S. 738, including the issue suggested by counsel, has disclosed no reasonably arguable appellate issue. Francisco has been adequately represented by counsel on this appeal.

### DISPOSITION

The judgment is affirmed.

IRION, J.

WE CONCUR:

BENKE, Acting P. J.

NARES, J.