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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

TIFFANY KUENY,

Defendant and Appellant.

D066402

(Super. Ct. No. SCD240930)

APPEAL from a judgment of the Superior Court of San Diego County, Eugenia A. Eyherabide, Judge. Affirmed.

Jared G. Coleman, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

In this criminal case, 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*). We gave defendant and appellant Tiffany Kueny an opportunity to file a brief on her own behalf, and she has declined to do

so. 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.

FACTUAL AND PROCEDURAL BACKGROUND

A jury found Kueny guilty of one count of inflicting corporal injury on a cohabitant in violation of Penal Code¹ section 273.5, subdivision (a). The jury also found true an allegation Kueny had previously been convicted of domestic violence within the meaning of section 273.5, subdivision (e)(1).

The trial court initially imposed three years of formal probation. However, Kueny did not perform satisfactorily on probation. On May 8, 2013, Kueny admitted she had failed to report to her probation officer; at that point, the trial court reinstated her probation but ordered that she be held in custody for 365 days, less 177 actual days of credit.

Upon Kueny's release from custody, she again failed to promptly report to her probation officer, tested positive for methamphetamine, failed to appear for substance abuse testing, and failed to attend domestic abuse classes. In light of these circumstances, on June 27, 2014, the trial court revoked Kueny's probation and thereafter imposed a midterm sentence of four years. The trial court awarded Kueny 422 days of actual credits and no conduct credits. The trial court also imposed a restitution fine of \$240, a probation revocation fine of \$240 and an additional restitution fine of \$40, which was stayed.

A review of the record pursuant to *Wende, supra*, 25 Cal.3d 436, and *Anders*,

¹ All further statutory references are to the Penal Code.

supra, 386 U.S. 738 has disclosed no reasonably arguable appellate issue. Kueny has been represented by competent counsel on this appeal.

DISPOSITION

The judgment is affirmed.

BENKE, J.

WE CONCUR:

McCONNELL, P. J.

McINTYRE, J.