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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

EDWARD MATTHEW WORSHAM,

Defendant and Appellant.

E054396

(Super.Ct.No. FVA701524)

OPINION

APPEAL from the Superior Court of San Bernardino County. Cara D. Hutson, Judge. Affirmed.

David L. Polsky, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Edward Matthew Worsham is serving a 25-year-to-life sentence under the three strikes law. We affirm his conviction in its entirety.

FACTS AND PROCEDURE

On March 3, 2007, law enforcement agents serving a search warrant knocked on the door of the mobilehome owned by defendant's mother; she answered the door and allowed the agents to enter. Defendant's wife, or significant other, was also present. When asked where defendant was, she pointed toward the bathroom, where defendant was taking a shower. The agents went into the bathroom, allowed defendant to dress, and brought him into the living room. Defendant initially gave a false name, but eventually gave his name as Edward Worsham. With defendant's clothes in the bathroom was a set of keys, including a house key and a lockbox key.

Defendant's wife told the agents which bedroom belonged to her and defendant, and gave permission to search it. The agents found marijuana and drug paraphernalia, hypodermic needles, a wooden baton or billy club, and a locked safe. The safe was opened with one of the keys found in the bathroom. The safe contained a loaded .38-caliber revolver, additional bullets, two baggies of methamphetamine, an address book, a fixed-blade knife, clear plastic baggies, counterfeit money, and several items bearing the name of defendant's wife.

On December 21, 2010, a jury found defendant guilty of possessing a controlled substance (Health & Saf. Code, § 11370.1, subd. (a)), being a felon in possession of a firearm (Pen. Code, § 12021, subd. (a)(1)), being a felon in possession of ammunition (Pen. Code, § 12316, subd. (b)(1)), and possessing a deadly weapon—a billy club (Pen. Code, § 12020, subd. (a)(1)). The jury acquitted defendant of forgery. (Pen. Code, § 476.) After the trial court found true the allegations that defendant had five “strike”

priors (Pen. Code, §§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d)), it sentenced him to 25 years to life in state prison.

DISCUSSION

After defendant appealed and, upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738, setting forth a statement of the case, a summary of the facts, and potential arguable issues, and requesting this court to undertake a review of the entire record.

We offered defendant an opportunity to file a personal supplemental brief, and he has done so. In his two-page supplemental brief, defendant argues the trial court erred when it denied his Penal Code section 1538.5 motion to suppress the evidence seized at his mother's home because it could not be established that he lived at the home. In fact, when defendant was asked for his current address when being booked after his arrest, he gave the address of his mother's home. In addition, defendant's wife told the responding officers that her and defendant's bedroom was the bedroom where the safe was found, and gave permission for it to be searched. Defendant also argues that the evidence in the crime scene photographs was staged and therefore was illegally admitted. Defendant does not describe with any specificity what about the photographs was staged. We have closely reviewed the transcript and find no objection on the record from defendant's counsel to the admission of any of the crime scene photographs. In addition, we have reviewed the photographs and, while it appears some of the items were laid out near

where they were found so that they could be fully seen, we do not see any purposeful staging to defendant's disadvantage.

Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, 120-121, we have independently reviewed the record for potential error. We have now concluded our independent review of the record and find no arguable issues.

DISPOSITION

The judgment of conviction is affirmed.

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RAMIREZ
P. J.

We concur:

RICHLI
J.

KING
J.