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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

In re J.G., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

J.G.,

Defendant and Appellant.

E054616

(Super.Ct.No. J238756)

OPINION

APPEAL from the Superior Court of San Bernardino County. Thomas S. Garza and William Jefferson Powell IV, Judges. Affirmed.

Kari E. Hong, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

Following a jurisdictional hearing, the juvenile court found true that defendant and appellant J.G. (minor) committed vandalism over \$400 in damages. (Pen. Code, § 594,

subd. (b)(1).) Minor was thereafter declared a ward of the court and placed on probation in the custody of his father. Minor appeals from the judgment. We find no error and affirm the judgment.

FACTUAL BACKGROUND

On April 12, 2011, minor was given a referral to report to the vice principal by his high school teacher (the victim) for repeatedly using his cellular telephone during class. Minor reacted angrily, slamming the classroom door open and making remarks as he left the classroom.

Later that day, the victim was notified by the campus security officer to come to the parking lot to inspect his E320 Mercedes Benz. The vehicle was covered in food, such as salad dressing and beans, and the door handles were jammed with food, preventing the doors from opening. In addition, the vehicle had dents and scratches all around it, which had not been there earlier. The victim paid \$5,830 to repair the damages caused by the vandalism.

Earlier in the day, around 1:30 p.m., a school cafeteria employee (the witness) observed minor grab several chocolate milk cartons, two to three salad dressing packets, and walk toward the parking lot. Less than five minutes later, the witness heard a group of “four or five” students who were outside the cafeteria facing the parking lot laughing and getting excited.

The witness thereafter went outside to investigate, and saw minor standing next to a black sedan, which was “dripping” with milk and salad dressing. The vehicle was also covered with beans and meat from the cafeteria salad bar. The vehicle also had scratches

that looked “like somebody took a key and just went over that car.” The witness also noticed milk cartons around minor’s feet. When the witness asked minor what he was doing, minor replied, ““Nothing. I didn’t do that.””

The witness thereafter contacted the campus security officer, and informed him that minor had “just vandalized” a vehicle in the parking lot. The officer approached the parking lot and saw minor and a few other students “sitting on the corner” about five feet away from the cafeteria window. As the officer neared, minor began running away toward a street adjacent to the school. About 15 to 20 minutes later, minor returned to the school campus and followed the campus security officer to the main office.

Minor’s defense was that he was not the student who vandalized the vehicle, but one of the students who was laughing. A defense witness explained that minor went to ask the three students who were vandalizing the vehicle what they were doing, and that they ran off when the cafeteria employee came out outside. The cafeteria employee then saw minor and another student near the vehicle, and asked them why they had vandalized the vehicle. She then told them to wait for the principal and the campus security officer. After waiting for 10 to 15 minutes, minor and his friend left because they were going to miss their bus. However, minor realized that he had afternoon sessions to attend and, therefore, returned to the school. Minor denied running off as the campus security officer was approaching.

DISCUSSION

Minor 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, potential arguable issues, and requesting this court conduct an independent review of the record.

We offered defendant an opportunity to file a personal supplemental brief, but he has not done so. Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have independently reviewed the record for potential error and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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RAMIREZ

P. J.

We concur:

RICHLI

J.

KING

J.