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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.

CHERRON HAROLD BENNETT,

Defendant and Appellant.

E055727

(Super.Ct.No. FWV1102243)

OPINION

APPEAL from the Superior Court of San Bernardino County. Jon D. Ferguson,
Judge. Affirmed.

Melanie K. Dorian, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

Pursuant to a plea agreement, defendant and appellant Cherron Harold Bennett pled no contest to corporal injury to a cohabitant. (Pen. Code, § 273.5, subd. (a).)¹ The trial court placed him on probation for a period of 36 months. His probation terms required him to pay victim restitution.

Defendant filed a notice of appeal. We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

Defendant and his girlfriend (the victim) had been living together for three months. They got into an argument, and defendant grabbed her by the neck and slammed her head into a door. He pushed her face against the kitchen counter. He then pushed her back against the wall at least two times and tackled her on the living room floor. Defendant left their house, and the victim called the police.

At sentencing, the prosecution requested an order for victim restitution in the amount of \$1,792.58, which included \$110 for a therapy session, \$170.94 for the installation of an alarm system, and \$1,511.64 for a three-year service contract with the alarm company (\$41.99/month). Defendant objected and requested a hearing. At the restitution hearing, defendant opposed the request for payment of the costs of the alarm installation and the three-year service contract. The court considered briefs submitted by the parties regarding restitution, as well as a letter from the victim. The court noted that the offense was “an assaultive offense” and exercised its discretion to order the

¹ All further statutory references will be to the Penal Code, unless otherwise noted.

restitution. The court noted that, in her letter, the victim indicated that the reason she installed an alarm system was because defendant had threatened to “come back for her and [said] that she wouldn’t be able to get away from him.” The court believed the alarm system had a rehabilitative function and purpose, in that defendant “should be required to pay for [the peace] of mind of the victim for at least the duration of time he’s on probation[,] which coincides with the length of the contract for the home security system.”

ANALYSIS

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 [87 S.Ct. 1396, 18 L.Ed.2d 493] setting forth a statement of the case and one potential arguable issue: whether the court abused its discretion in ordering defendant to reimburse the victim for the expenses she incurred in installing and maintaining the alarm system in her home. Counsel has also requested this court to undertake a review of the entire record.

We offered defendant an opportunity to file a personal supplemental brief, which he has not done. Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have conducted an independent review of the record and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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HOLLENHORST
J.

We concur:

RAMIREZ
P. J.

KING
J.