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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.

JEFFREY FITZGERALD JACKSON,

Defendant and Appellant.

E056236

(Super.Ct.Nos. FSB1104670,  
FVA1101493)

OPINION

APPEAL from the Superior Court of San Bernardino County. Michael M. Dest,  
Judge. Affirmed.

Patricia Ihara, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

Defendant Jeffrey Fitzgerald Jackson is serving a five-year prison term after  
pleading guilty in two separate cases to second-degree robbery and assault on a police  
officer.

*Case No. FVA1101493 (The Robbery Case)*

On September 19, 2011, defendant took a \$100 bill from on top of a cash register at a gas station. After a confrontation and struggle with the clerk, defendant ran out of the store. The clerk followed defendant outside to get his license plate number. Defendant punched the clerk in the head before driving away.

On September 22, 2011, the People filed a complaint alleging defendant committed petty theft with priors (Pen. Code, § 666, subd. (a))<sup>1</sup> and second degree commercial burglary (§ 459). The People alleged that defendant had five prison term prior felonies (§ 667.5, subd. (b)). On October 3, 2011, the People amended the complaint to allege robbery (§ 211). Also on October 3, 2011, defendant pled guilty to second degree robbery in exchange for probation and was released on his own recognizance pending sentencing. The parties agreed that defendant would serve 180 days on weekends, but that he could spend five years in prison if he violated probation.

On December 8, 2011, the trial court made a finding under Rules of Court, rule 4.413, subdivision (c)(2)(B), that the crime was committed because of a mental condition not amounting to a defense. The trial court defendant granted probation and 180 days jail time. The court withheld pronouncement of judgment for three years.

*Case No. FSB1104670 (The Assault Case)*

On October 10, 2011, police attempted to conduct a traffic stop on defendant's vehicle. After initially stopping, defendant re-started his vehicle and drove it at the

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<sup>1</sup> All further statutory references are to the Penal Code unless otherwise indicated.

officer. After the ensuing high-speed car chase, defendant got out of his vehicle and pulled a six-inch pocket knife from his pants before attempting to jump over a wall. He was arrested while trying to do so.

On October 11, 2011, the People filed a complaint alleging defendant assaulted a police officer (§ 245, subd. (c)), evaded a police officer (§ 2800.2, subd. (a)) and committed assault with a deadly weapon (a knife) (§ 245, subd. (a)(1)). The People also alleged that defendant had eight prison term prior felonies (§ 667.5, subd. (b)).

*Combined Probation Revocation Hearing (FVA1101493)  
and Sentencing (FSB1104670)*

On March 20, 2012, defendant admitted to violating the terms of his probation in the robbery case. The trial court imposed the stipulated upper term of five years in prison. In the assault case, defendant pled guilty to assault on a police officer as a strike offense. The court imposed the stipulated sentence of four years, to run concurrently with the five-year sentence in the robbery case.

This appeal followed.

**DISCUSSION**

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 requests this court to 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.