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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.

JAMES A. SWEENEY II,

Defendant and Appellant.

E056353

(Super.Ct.No. RIF10002885)

OPINION

APPEAL from the Superior Court of Riverside County. Helios J. Hernandez,  
Judge. Affirmed.

Patrick E. DuNah, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

**INTRODUCTION**

Defendant James Sweeney II appeals from his conviction after pleading guilty to possessing child pornography (Pen. Code, § 311.11, subd. (a)) and receiving a low-term prison sentence of 16 months. As discussed below, we affirm the conviction.

On June 10, 2010, the People filed a felony complaint charging defendant with one count of possessing child pornography and one count of distributing child pornography (Pen. Code, § 311.2, subd. (d)). These crimes took place in 2007 and were initially investigated by the Federal Bureau of Investigations, which eventually submitted the case to the Riverside District Attorney.

On April 19, 2012, defendant pled guilty to possessing child pornography and was sentenced to 16 months in state prison, with 1095 total days of custody credits.<sup>1</sup> This appeal followed.

### DISCUSSION

Upon defendant's 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, a summary of the facts, and potential arguable issues and requesting 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

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<sup>1</sup> Defendant was to serve a state prison sentence "forthwith" in a companion felony case, RIF150506.

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:

KING  
J.

MILLER  
J.