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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.

PIERRE ANTONIO AGUILAR,

Defendant and Appellant.

E058704

(Super.Ct.No. RIF1203593)

OPINION

APPEAL from the Superior Court of Riverside County. Mac R. Fisher, Judge.

Affirmed.

Jan B. Norman, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Pierre Antonio Aguilar was charged in a second amended information with inflicting corporal injury upon a spouse (Pen. Code¹, § 273.5 subd. (a), count 1), assault with a deadly weapon (§ 245, subd. (a)(1), count 2), and dissuading a witness from reporting a suspected crime (§ 136.1, subd. (c)(1), count 3). As to counts 1 and 2, the second amended information alleged that defendant personally inflicted great bodily injury under circumstances involving domestic violence. (§§ 12022.7, subd. (e), 1192.7, subd. (c)(8).) It also alleged that defendant was out on bail on another felony when he committed the offense in count 3 (§ 12022.1), and that he had served nine prior prison terms (§ 667.5). Pursuant to a plea agreement, defendant pled guilty to count 1, admitted that he personally inflicted great bodily injury and he was out on bail at the time of the offense. He also admitted six prison priors. The court dismissed the remaining counts and allegations in accordance with the plea agreement. The court sentenced defendant to the low term of two years on count 1, three years on the great bodily injury enhancement, two years on the out-on-bail provision, plus six years on the prison priors, for a total of 13 years in state prison. The court awarded 248 days of presentence custody credits.

Defendant filed an amended notice of appeal on May 16, 2013, alleging that the appeal was based on the sentence or other matters that occurred after the plea. He also filed a request for certificate of probable cause, which the court denied. We affirm.

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

PROCEDURAL BACKGROUND

Defendant was charged with and admitted that, on or about July 21, 2012, he inflicted corporal injury upon a spouse, a felony. (§ 273.5, subd. (a).)

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 and no potential arguable issues.

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.

CODRINGTON
J.