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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.

EDDIE DARRION JOHNSON,

Defendant and Appellant.

E059785

(Super.Ct.No. FSB1302319)

OPINION

APPEAL from the Superior Court of San Bernardino County. Dwight W. Moore,
Judge. Affirmed.

Anita P. Jog, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

On June 5, 2013, a felony complaint charged defendant and appellant Eddie Darrion Johnson with robbery (Pen. Code, § 211, counts 1 & 2)¹ and criminal threats (§ 422, counts 3 & 4). With respect to each count, the complaint also alleged that defendant was on bail at the time of the offenses (§ 12022.1) and that the offenses were committed for the benefit of a criminal street gang (§ 186.22, subd. (b)(1)(B), (C)). Furthermore, the complaint alleged that defendant suffered a prior robbery conviction, both a serious felony under section 667, subdivision (a), and a strike under sections 667, subdivisions (b) through (i), and 1170.12, subdivisions (a) through (d).

On August 13, 2013, defendant pled guilty to count 1 and admitted a gang enhancement allegation in exchange for a 15-year sentence (upper term of five years for the robbery conviction plus 10 years for the gang enhancement). On the same day, the trial court sentenced defendant in accordance with the terms of the plea agreement.

On October 4, 2013, defendant filed a notice of appeal indicating a challenge to the sentence and the validity of the plea. The record contains no request for, or a ruling on, a certificate of probable cause.

¹ All statutory references are to the Penal Code unless otherwise specified.

STATEMENT OF FACTS²

Two male victims identified defendant as being one of two men who approached them and demanded their cell phones. The two victims claimed that defendant threatened to “pop” them. The victims feared for their lives and handed their cell phones over.

One of the arresting officers stated that defendant is a documented gang member and was wearing the primary color of his gang when arrested. The officer also stated that tattoos on defendant’s face are symbols of his gang.

ANALYSIS

After 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 requesting this court to undertake a review of the entire 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 conducted an independent review of the record and find no arguable issues.

² The parties stipulated that the court file would provide a factual basis for the plea. The statement of facts, therefore, is based upon the police report.

DISPOSITION

The judgment is affirmed.

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RICHLI
J.

We concur:

RAMIREZ
P. J.

CODRINGTON
J.