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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.

ZURI S. YOUNG,

Defendant and Appellant.

E062610

(Super.Ct.No. FCH02413)

OPINION

APPEAL from the Superior Court of San Bernardino County. Michael A. Smith, Judge. (Retired judge of the San Bernardino Super. Ct. assigned by the Chief Justice pursuant to art. VI, §6 of the Cal. Const.) Affirmed.

James R. Bostwick, Jr., under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

## I

### STATEMENT OF THE CASE

In 1998, a jury found defendant and appellant Zuri S. Young guilty of one count of battery by a prisoner on a non-confined person under Penal Code<sup>1</sup> section 4501.5. After a subsequent bench trial, the trial court found that defendant had suffered prior convictions for four counts of attempted murder under sections 664 and 187, and one count of robbery under section 211, all of which were violent or serious felonies under section 667, subdivisions (b) through (i). The trial court sentenced defendant to 25 years to life.

Approximately 16 years later, on October 6, 2014, defendant filed a petition entitled “Recall of Commitment and Sentence Pursuant to CCR Title 5, 3076(c)(d) and Pen. Code § 1170(c)(d).” On November 25, 2014, the trial court ruled on defendant’s petition as follows: “the Court has read and considered Petition for Recall of Sentence pursuant to PC 1170.126. The Court finds that Petitioner does not satisfy the criteria in PC 1170.126(e) and is not eligible. The petition for recall of sentence is denied.”

On December 29, 2014, defendant filed a notice of appeal from the court’s “[f]inding defendant ineligible as a matter of law for resentencing under PC 1170.126.”

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

## II<sup>2</sup>

### 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.

## III

### DISPOSITION

The judgment is affirmed.

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McKINSTER  
Acting P. J.

We concur:

KING  
J.

MILLER  
J.

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<sup>2</sup> The facts of the underlying conviction are not relevant to this appeal.