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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.

SAMUEL GARCIA,

Defendant and Appellant.

E062913

(Super.Ct.No. RIF1303734)

O P I N I O N

APPEAL from the Superior Court of Riverside County. Steven COUNELIS, Judge.

Affirmed.

Russell S. Babcock, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

The People charged defendant and appellant Samuel Garcia by felony information with possession of paraphernalia for the unlawful consumption of narcotics while in the

California Rehabilitation Center. (Pen. Code, § 4573.6; count 1.)¹ The People additionally alleged defendant had suffered three prior prison terms (§ 667.5, subd. (b)) and two prior strike convictions (§§ 667, subds. (b)-(i), 1170.12).

Pursuant to a plea agreement, defendant pled guilty to the count 1 offense and admitted an allegation he had suffered a prior strike conviction. (§§ 667, subds. (b)-(i), 1170.12.) Defendant made oral admissions to the facts of both the substantive offense and the enhancement allegation upon which the court found a factual basis for the plea. The court sentenced defendant pursuant to his plea agreement to the low term of two years on the substantive offense, doubled pursuant to the strike prior for a total of four years' incarceration.

Defendant filed a notice of appeal. After counsel for Appellate Defenders, Inc. filed an amended notice of appeal, 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 statement of the facts, and requesting this court to undertake a review of the entire record.

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 independently reviewed the record for potential error and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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

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KING
J.

We concur:

McKINSTER
Acting P. J.

MILLER
J.