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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.

JESUS F. ROMERO,

Defendant and Appellant.

E064901

(Super.Ct.No. FVA1300663)

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.

Rex Adam Williams, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

FACTUAL AND PROCEDURAL HISTORY

On August 1, 2014, defendant and appellant Jesus F. Romero pled guilty to violating Penal Code¹ sections 261, subdivision (a)(2) (forcible rape—child victim under 14 years); and 288, subdivision (b)(1) (lewd or lascivious acts—child victim under 14 years). On September 9, 2014, the trial court sentenced defendant to state prison for an indeterminate term of 15 years to life, plus five years.

On October 9, 2015, the trial court denied defendant’s petition for resentencing under section 1170.18. The court found that defendant did “not satisfy the criteria in Penal Code [section] 1170.18 and is not eligible for resentencing.”

On November 20, 2015, defendant filed a timely notice of appeal.

DISCUSSION²

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

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

² Since this is an appeal from the court’s denial of defendant’s petition for resentencing under Proposition 47, the underlying facts are not relevant to this appeal.

DISPOSITION

The judgment is affirmed.

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MILLER
Acting P. J.

We concur:

CODRINGTON
J.

SLOUGH
J.