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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.

TRAVIS JAMES POST,

Defendant and Appellant.

E065958

(Super.Ct.No. CR29957)

OPINION

APPEAL from the Superior Court of Riverside County. Becky Dugan, Judge.

Affirmed.

Richard Power, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

FACTUAL AND PROCEDURAL HISTORY

In 1988, a felony complaint charged defendant and appellant Travis James Post with six counts of forgery under Penal Code section 470. Defendant pled guilty to count 1 (forged check in the amount of \$1,400), count 2 (forged check in the amount of \$1,200), and count 3 (forged check in the amount of \$1,200). On September 30, 1988, the trial court granted defendant probation for 60 months under various terms and conditions.

On February 16, 2016, defendant filed a petition for resentencing under Penal Code section 1170.18 (Proposition 47). The People opposed defendant's motion because defendant's convictions did not qualify under Proposition 47: "[V]ictim restitution was set at \$36,290.35 so over \$950. Per the minutes the restitution applies to all 3 victims (one thing says \$35,290.35 & minutes say \$36,29[0].35)."

On March 21, 2016, the trial court denied defendant's motion because "restitution exceeded [\$]950.00 ([\$]35,290.35). Not eligible."

On April 27, 2016, defendant filed a timely notice of appeal.

DISCUSSION

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.

DISPOSITION

The judgment is affirmed.

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MILLER
J.

We concur:

McKINSTER
Acting P. J.

SLOUGH
J.