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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

In re D.H., a Person Coming Under the  
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

D.H.,

Defendant and Appellant.

E066167

(Super.Ct.No. J262575)

OPINION

APPEAL from the Superior Court of San Bernardino County. Corey G. Lee,  
Judge. Affirmed.

Nancy S. Brandt, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

A juvenile wardship petition was filed against defendant and appellant D.H. (minor), pursuant to Welfare and Institutions Code section 602. The petition alleged that minor committed the crime of resisting, obstructing, and delaying a peace officer. (Pen. Code, § 148, subd. (a)(1), count 1.) A juvenile court found the allegation true. At a disposition hearing, the court did not declare minor a ward, but placed him in the custody of his parents on summary probation (§ 725, subd. (a)) for a period of six months, under specified terms.

Minor filed a timely notice of appeal. We affirm.

#### FACTUAL BACKGROUND

Officer Shawn Martin and his partner, Officer Korkotsakis, were on patrol on the night of August 13, 2015. At approximately 11:30 p.m., they noticed two cars parked on a dead-end road. There were three people inside one of the cars. As the officers approached the car, they saw white smoke emerging from the windows and could smell a strong odor of marijuana. The officers obtained the occupants' identifications, ran a records check, and asked if they could search the vehicle. Minor was sitting in the front passenger seat. When Officer Martin asked him to exit the vehicle, minor began cursing and placed his hand over the door lock to prevent it from being opened. Minor said he did not have to get out of the vehicle, and the officer had no right to be there. When Officer Martin was finally able to open the door, he attempted to remove minor from the car. Minor turned away from him, and Officer Martin had to grab his wrists to remove him. The officer placed handcuffs on him. As Officer Martin took him to the patrol car,

minor crouched down and pushed against him. After being placed in the back of the patrol car, minor began to scream and hit his head against the window. The officers found a small burnt end of marijuana, rolled in a cigar wrapper, in the car.

Officer Martin recorded the entire encounter with minor, and the recording was played for the court at the jurisdiction hearing. The judge commented that “[t]here was clearly resisting,” and that he “could hear it.” The court then found the allegation true and sustained the petition.

### DISCUSSION

Minor 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 and one arguable issue: whether there was sufficient evidence to prove minor committed the crime of resisting or delaying a peace officer. Counsel has also requested this court to undertake a review of the entire record.

We offered minor 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 conducted an independent review of the record and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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HOLLENHORST  
J.

We concur:

RAMIREZ  
P. J.

MILLER  
J.