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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

In re LARRY J., a Person Coming Under
the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

LARRY J.,

Defendant and Appellant.

F063124

(Super. Ct. No. 06CEJ600907-1V4)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Fresno County. Ralph L. Putnam, Judge.†

Thea Greenhalgh, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

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* Before Wiseman, Acting P.J., Cornell, J., and Franson, J.

† Retired Judge of the Fresno Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

In July 2007, appellant, Larry J., a minor, was adjudged a ward of the court, based on adjudications of committing a lewd or lascivious act against a minor (Pen. Code, § 288, subd. (a)) and committing a lewd or lascivious act against a minor by force (Pen. Code, § 288, subd. (b)(1)). The court placed appellant on probation. Thereafter, on two occasions in 2007 and one occasion in 2008, appellant was found to be in violation of probation. In each instance he was continued on probation.

On April 23, 2010, a juvenile wardship petition (Welf. & Inst. Code, § 602) was filed in which it was alleged appellant committed sodomy by force (Pen. Code, § 286, subd. (c)(2); count 1) and forcible oral copulation (Pen. Code, § 288a, subd. (c)(2); count 2). On April 19, 2011, appellant admitted count 1 as a probation violation and the court dismissed the petition. At the disposition hearing, on August 3, 2011, the court ordered appellant committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, and set appellant's maximum period of physical confinement at eight years, with credit of 923 days for time served. On August 30, 2011, appellant filed a notice of appeal from the August 3, 2011, judgment.

Appellant's appointed appellate counsel has filed an opening brief which summarizes the pertinent facts, with citations to the record, raises no issues, and asks that this court independently review the record. (*People v. Wende* (1979) 25 Cal.3d 436.) Appellant has not responded to this court's invitation to submit additional briefing. We affirm.

FACTS¹

The report of the probation officer states that according to a police report, on April 21, 2010, a police officer responding to a report of a sexual assault at a group home for juvenile sex offenders made contact with the victim who stated the following: On April 8, 2010, at approximately 4:30 a.m., appellant awakened the victim and told him to get out of bed. The victim, who was afraid of appellant, complied. Appellant then “pushed [the victim] up against the doorway and ... sodomized him against his will.” In addition, “between the middle of March 2010 ... and April 8, 2010, [appellant] forced the victim to perform approximately six sexual acts against [the victim’s] will.”

Appellant was 16 years old at the time of the disposition hearing.

DISCUSSION

Following independent review of the record, we have concluded that no reasonably arguable legal or factual issues exist.

DISPOSITION

The judgment is affirmed.

¹ The instant appeal is limited to the judgment of August 3, 2011, which arose out of appellant’s most recent violation of probation. Therefore, we forgo summary of the facts of the underlying offenses and we limit our factual summary to the facts giving rise to that probation violation. (See *People v. Glaser* (1965) 238 Cal.App.2d 819, 821, disapproved on other grounds in *People v. Barnum* (2003) 29 Cal.4th 1210, 1218-1219, 1225 [“Although an appeal may lie from a subsequent order, which revokes probation and places the sentence into effect, the matters arising prior to pronouncement of judgment cannot thereby be reviewed”].)