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

THE PEOPLE,

Plaintiff and Respondent,

v.

DALE ANDREW JUDY,

Defendant and Appellant.

F064551

(Fresno Sup. Ct. No. F10905597)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Fresno County. Don Penner,
Judge.

James M. Crawford, under appointment by the Court of Appeal, for Defendant and
Appellant.

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

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

STATEMENT OF THE CASE

On November 3, 2010, the Fresno County District Attorney filed a felony complaint in superior court charging appellant in count 1 with arson of another's property (Pen. Code,¹ § 451, subd. (d)); in count 2 with misdemeanor resisting a peace officer (§ 148, subd. (a)(1)); and in count 3 with disobeying a court order (§ 166, subd. (a)(4)). Appellant pleaded not guilty to the charges.

On January 31, 2011, the court held a mental health competency hearing and concluded appellant was not competent to stand trial (§ 1368). On March 2, 2011, the court received a report and recommendation from the Forensic Mental Health Department and ordered appellant committed to the Atascadero State Hospital for a maximum term of three years (§ 1370).

On or about October 17, 2011, the medical director of Patton State Hospital submitted a certification of mental competence in appellant's case (§ 1372). On October 26, 2011, the court conducted a hearing and found appellant competent.

On December 5, 2011, appellant pleaded no contest to arson and acknowledged in the change of plea form that he was pleading to a strike offense. The court dismissed the remaining counts on motion of the district attorney.

On January 4, 2012, defense counsel moved to withdraw appellant's plea because counsel has not advised his client of a lifetime registration requirement. Appellant indicated that he wanted to go through with the plea and did not want to withdraw. The court then denied appellant probation and sentenced him to the low term of 16 months in state prison with 544 days of custody credits. The court imposed a \$200 restitution fine (§ 1202.4, subd. (b)), imposed and suspended a second such fine pending successful completion of parole (§ 1202.45), and ordered appellant to register under section 457.1.

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

On March 19, 2012, appellant filed a timely notice of appeal challenging the validity of the plea. On the same date, the court granted appellant's request for a certificate of probable cause (§ 1237.5).

DISCUSSION

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

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

DISPOSITION

The judgment is affirmed.