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

THE PEOPLE,

Plaintiff and Respondent,

v.

ARIUS LEQUEASE HALL,

Defendant and Appellant.

F066030

(Super. Ct. No. F11906171)

OPINION

THE COURT*

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

William D. Farber, 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 Levy, Acting P.J., Poochigian, J. and Peña, J.

Pursuant to a plea agreement, appellant Arius Lequese Hall pleaded no contest to assault with a deadly weapon or instrument on a police officer (Pen. Code, § 245, subd. (c); count 1), evading a police officer (Veh. Code, § 2800.2, subd. (a); count 2), and possession of a controlled substance while armed with a firearm (Health & Saf. Code, § 11370.1, subd. (a)); count 9), and admitted an allegation that in committing the count 1 offense, he personally used a dangerous or deadly weapon within the meaning of Penal Code sections 667 and 1192.7. One of the terms of the plea agreement was that any prison term imposed would not exceed five years eight months.

Thereafter, the court imposed a prison term of five years eight months, consisting of the four-year midterm on count 1; eight months on count 2, representing one-third of the midterm for that offense; and one year on count 9, representing one-third of the midterm for that offense. The court also dismissed six other felony counts and a prior prison term enhancement allegation.

Appellant filed a timely notice of appeal. Insofar as the record reveals, appellant did not request, and the court did not issue, a certificate of probable cause (Pen. Code, § 1237.5).

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.

The report of the probation officer states the following. On October 21, 2011, police officers, upon seeing appellant at a hotel in Fresno and discovering that he was a "wanted parolee," attempted to take appellant into custody in the parking lot of the hotel. Appellant, however, refused to get out of his vehicle and show officers his hands, at which point officers "unsuccessfully deployed one less than lethal bean bag round at [appellant's] vehicle." Appellant then drove his car in reverse between two patrol vehicles and, after hitting one of them, drove out of the parking lot and "led officers on a

short pursuit,” during which he threw a handgun from the driver’s side window. Thereafter, officers apprehended appellant and placed him under arrest. Appellant “was found [to be] in possession [of] crack cocaine,” and he “admitted that he had in his possession marijuana and methamphetamine.”

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

DISPOSITION

The judgment is affirmed.