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

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

THE PEOPLE,

Plaintiff and Respondent,

v.

ISAAC D.,

Defendant and Appellant.

F066328

(Super. Ct. No. JJD065870)

**OPINION**

**THE COURT\***

APPEAL from a judgment of the Superior Court of Tulare County. Juliet L. Boccone, Judge.

Robert McLaughlin, 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., Poochigian, J., and Peña, J.

Appellant, Isaac D., a minor, appeals from a November 21, 2012,<sup>1</sup> disposition order, following his admissions and no contest plea to allegations he violated his probation.

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.

## **FACTUAL AND PROCEDURAL BACKGROUND**

### ***Procedural Background***

On January 3, appellant admitted allegations set forth in a juvenile wardship petition that he committed second degree burglary (Pen. Code,<sup>2</sup> §§ 459, 460, subd. (a)), a felony, and misdemeanor vandalism (§ 594, subd. (a)). On February 21, the juvenile court adjudged appellant a ward of the court, placed him on probation, and ordered him committed to the Tulare County Youth Treatment Program (Youth Treatment Program) for a period of 45 to 180 days.

On April 17, appellant admitted allegations, set forth in a second wardship petition, that he committed assault by means of force likely to produce great bodily injury (§ 245, subd. (a)(4)), a felony, and resisting, delaying or obstructing a peace officer (§ 148, subd. (a)(1)), a misdemeanor. On May 4, the court continued appellant as a ward of the court, continued him on probation, and ordered him committed to the Youth Treatment Program for a period of 45 to 90 days.

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<sup>1</sup> All references to dates of events are to dates in 2012.

<sup>2</sup> All statutory references are to the Penal Code.

On September 26, a notice of violation of probation (VOP notice) was filed in which it was alleged that appellant violated his probation by failing to attend school regularly, obey school rules, and abstain from the use of alcohol, and by violating curfew and absconding. On November 6, a second VOP notice was filed in which it was alleged appellant violated his probation by committing a violation of section 148.

On November 7, appellant admitted the allegations of the September 26 VOP notice and pleaded no contest to the allegation of the November 6 VOP notice. On November 19, a third wardship petition was filed in which it was alleged that appellant committed a violation of section 148, subdivision (a)(1).

On November 21, the court dismissed the November 19 petition, continued appellant as a ward of the court, ordered him committed to the Tulare County Youth Facility Program for a period of up to 12 months and set appellant's maximum term of confinement at five years four months, less 276 days credit for time served. On November 26, appellant filed a notice of appeal from the November 21 disposition order.

### ***Factual Background***<sup>3</sup>

Appellant's mother reported the following to the probation officer: At 1:00 a.m. on September 23, appellant was arrested "regarding a curfew violation and resisting arrest." He was released to his mother's custody, and when she took him to a friend's residence to "obtain some belongings," he "fled from the vehicle." He "has not returned"

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<sup>3</sup> Because the instant appeal is limited to the disposition order of November 21, which arose out of appellant's violations of probation, we forgo summary of the facts of the underlying offenses and we limit our factual summary to the facts giving rise to those probation violations. (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].) Our factual summary is taken from the report of the probation officer filed November 16.

and “his whereabouts were unknown.” In addition, appellant “had failed to attend school, [and] obey [his mother’s] directives ....”

According to Tulare County District Attorney’s Office records, “on or about November 2, 2012, [appellant] resisted, obstructed and delayed Officer M. Lightfoot in violation of Penal Code Section 148(a).”

### **DISCUSSION**

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

### **DISPOSITION**

The judgment is affirmed.