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

THE PEOPLE,

Plaintiff and Respondent,

v.

HABTAB SEMERE,

Defendant and Appellant.

F066473

(Super. Ct. No. F10906257)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Fresno County. Jonathan M. Skiles, Judge.

Deborah Prucha, 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 Cornell, Acting P.J., Gomes, J., and Franson, J.

Pursuant to a plea agreement, appellant, Habtab Semere, pleaded no contest to welfare fraud (Welf. & Inst. Code, § 10980, subd. (c)(2)). Also pursuant to the plea agreement, the court dismissed a second count of the same offense and a single count of perjury (Pen. Code, § 118, subd. (a)), ordered appellant to pay restitution in the amount \$14,878, suspended imposition of sentence and placed appellant on three years' probation.

Appellant filed a timely notice of appeal. The court denied appellant's request for 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. We affirm.

The report of the probation officer states that from June 1, 2005 through January 31, 2010, appellant illegally received cash aid and food stamps to which he was not entitled.

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

DISPOSITION

The judgment is affirmed.