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

THE PEOPLE,

Plaintiff and Respondent,

v.

RONALD THOMAS CRUZ,

Defendant and Appellant.

F069831

(Tulare Super. Ct. No. PCF284151)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Tulare County. Kathryn T. Montejano, Judge.

Jill M. Klein, 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 Levy, Acting P.J., Poochigian, J. and Detjen, J.

INTRODUCTION

Appellant/defendant Ronald Thomas Cruz pleaded guilty to felony evasion of an officer while operating a motor vehicle. He was sentenced to the indicated term of 16 months. On appeal, his appellate counsel has filed a brief that 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 (*Wende*)). We affirm.

FACTS¹

“[O]n June 7, 2013, at approximately 2:03 p.m., an officer [with the Porterville Police Department] attempted to conduct a traffic stop on the defendant’s vehicle for reckless driving; however, he failed to yield and a pursuit ensued. The defendant failed to stop at posted stop signs, failed to stop at red traffic lights, and was weaving in and out of traffic. The defendant continued to drive at a high rate of speed and continued to disregard the safety for other drivers on the road. The officer received orders to terminate the pursuit due to the defendant’s reckless driving.

“A short time later, officers located the defendant’s vehicle abandoned in the parking lot of North Stonegate Cove. Officers searched the area to find the defendant; however, they were met with negative results. Officers searched the vehicle and located several forms of identification for the defendant. On June 11, 2013, a complaint was filed by the District Attorney’s Office and on July 22, 2013, the defendant was arrested.”

Procedural History

As noted, on June 11, 2013, an amended felony complaint was filed against defendant in the Superior Court of Tulare County, charging him with count I, felony evading an officer while operating a motor vehicle with a willful and wanton disregard for the safety of others (Veh. Code, § 2800.2, subd. (a)); and count II, misdemeanor

¹ The following facts are from the probation report, which the parties stipulated to as the factual basis for defendant’s plea.

resisting a peace officer (Pen. Code, § 148, subd. (a)(1)), with one prior prison term enhancement (Pen. Code, § 667.5, subd. (b)).

On March 20, 2014, defendant pleaded no contest to count I and admitted the enhancement pursuant to a negotiated disposition, that count II would be dismissed and the enhancement would be stricken, for an indicated lower term of 16 months.

On June 2, 2014, the court dismissed the prior prison term enhancement, sentenced defendant to 16 months, and revoked defendant's driving privilege (Veh. Code, § 13357).

On June 23, 2014, defendant filed a timely notice of appeal; he did not seek or obtain a certificate of probable cause.

DISCUSSION

As noted above, defendant's counsel has filed a *Wende* brief with this court. The brief also includes the declaration of appellate counsel indicating that defendant was advised he could file his own brief with this court. By letter on November 4, 2014, we invited defendant to submit additional briefing. To date, he has not done so.

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

DISPOSITION

The judgment is affirmed.