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

THE PEOPLE,

Plaintiffs and Respondents,

v.

ANDRE JOHNSON,

Defendant and Appellant.

F070338

(Super. Ct. No. CF98612873)

**OPINION**

**THE COURT\***

APPEAL from a judgment of the Superior Court of Fresno County. Jonathan B. Conklin, Judge.

John F. Schuck, 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., Detjen, J. and Peña, J.

## PROCEDURAL SUMMARY

On August 13, 2014, appellant filed a “Request for Petition for *Romero* Hearing (Penal Code Section 1385)” in the Fresno County Superior Court. Appellant did not identify the basis for the court’s jurisdiction.<sup>1</sup> The court denied the request on August 19, 2014, on the ground the court had no jurisdiction to consider dismissal of appellant’s prior strike conviction, noting that appellant’s Fresno County conviction and sentence were affirmed by this court on April 27, 2000. The instant appeal followed. Appellate counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) identifying no arguable issues and asking this court to independently review the entire record on appeal.

On March 9, 2015, appellant filed a supplemental brief. Appellant states that his sentence in Los Angeles Superior Court case No. A471038 was to run consecutive to his sentence in Los Angeles Superior Court case No. A916597, but that his conviction in case No. A916597 was dismissed. Consequently, he was entitled to resentencing in case No. A471038. Appellant failed to identify the basis for this court’s jurisdiction to resentence appellant pursuant to *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497.

After independent review of the record, we have concluded there are no reasonably arguable legal or factual issues. (*Wende, supra*, 25 Cal.3d 436.)

## DISPOSITION

The judgment is affirmed.

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<sup>1</sup> The record on appeal does not summarize the procedure, nor set forth the facts relevant to appellant’s various convictions.