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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

ELIAS DELATORRE MARTINEZ,

Defendant and Appellant.

G045928

(Super. Ct. No. 11HF2485)

O P I N I O N

Appeal from a judgment of the Superior Court of Orange County,  
Michael A. Leversen, Judge. Affirmed.

John Ward, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

\* \* \*

Defendant Elias Delatorre Martinez was charged in a felony complaint with one count of possession of methamphetamine, a felony, in violation of Health and Safety Code section 11377, subdivision (a), and one count of possession of controlled substance paraphernalia, a misdemeanor, in violation of Health and Safety Code section 11364. Before a preliminary hearing was conducted, defendant pleaded guilty to the felony count; the trial court granted the prosecution's motion to dismiss the misdemeanor count. In the guilty plea form, defendant stated that on September 30, 2011, he "knowingly possessed a useable quantity of methamphetamine."

The trial court accepted defendant's plea. The court suspended the imposition of sentence and placed defendant on three years' formal probation on conditions that included he serve 180 days in Orange County jail, with 90 days stayed if he participates in a 90-day residential drug treatment program. Defendant was awarded 18 days of custody credit and 18 days of conduct credit.

Defendant filed a timely notice of appeal, which stated his appeal was "based on the sentence or other matters occurring after the plea that do not affect the validity of the plea." He did not request a certificate of probable cause and none was issued by the trial court. (Pen. Code, § 1237.5.)

We appointed counsel to represent defendant on appeal. Appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), containing a statement of the case and requesting that we independently review the entire record. In the *Wende* brief, counsel states he was unable to identify any argument for reversal, and does not suggest any possible issues for us to consider, pursuant to *Anders v. California* (1967) 386 U.S. 738.

This court provided defendant 30 days to file written argument on his own behalf. That period of time has passed, and we have received no communication from him.

We have examined the entire record and counsel's *Wende* brief, and find no arguable issue. (*Wende, supra*, 25 Cal.3d 436.)

The judgment is affirmed.

FYBEL, J.

WE CONCUR:

O'LEARY, P. J.

IKOLA, J.