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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

In re CARLOS S., a Person Coming Under
the Juvenile Court Law

THE PEOPLE

Plaintiff and Respondent,

v.

CARLOS S.,

Defendant and Appellant.

G048935

(Super. Ct. No. DL044462)

O P I N I O N

Appeal from a judgment of the Superior Court of Orange County, Gregory
W. Jones, Judge. Affirmed.

Richard Jay Moller, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance by Plaintiff and Respondent.

* * *

The juvenile court sustained a petition under Welfare and Institutions Code section 602 that charged minor Carlos S. with two counts of second degree robbery. The court declared the minor a ward of the court and committed him for 60 days and granted probation on several conditions. After the minor appealed, and upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 [87 S.Ct. 1396, 18 L.Ed.2d 493], setting forth a statement of the case and a summary of the facts, and requesting this court to undertake a review of the entire record. We offered the minor an opportunity to personally file a supplemental brief. He has not done so. We have reviewed the record and find no prejudicial error. We therefore affirm the judgment.

The robberies took place after the two victims, Marcus and Douglas Whittemore, left a store carrying snacks and a 12-pack of beer. The minor and a companion approached the victims and demanded six beers. When Marcus declined, the minor stated he did not want to have to hurt him. After an interval, the minor approached the Whittemores again and punched Marcus with his fist. He then grabbed the box of beer from Marcus and ran away. A chase ensued, the beer fell to the ground, and nearby police officers intervened.

Substantial evidence supports the juvenile court's decision. Both victims testified consistent with the foregoing summary of the facts. Officer David Becerra also testified. He was on patrol at the time of the robbery and saw three persons, later identified as the Whittemore brothers and the minor engaged in an altercation.

We also conclude there was sufficient evidence that Douglas, who was not carrying any beer, was a robbery victim. Both Whittemore brothers had jointly gone to the store to buy beer and snacks and had left the store together when confronted by the minor. “California follows “the traditional approach that limits victims of robbery to those persons in either actual or constructive possession of the property taken.”

[Citation.] ““Robbery is an offense against the person[.]”” [Citation.] Accordingly, a victim can be any person who shares “some type of ‘special relationship’ with the owner of the property sufficient to demonstrate that the victim had authority or responsibility to protect the stolen property on behalf of the owner.””” (*People v. Weddles* (2010) 184 Cal.App.4th 1365, 1369.) By virtue of his participation with his brother in making the purchase, Douglas, if not in actual possession, constructively possessed the beer.

We find no error.

DISPOSITION

The judgment is affirmed.

RYLAARSDAM, ACTING P. J.

WE CONCUR:

IKOLA, J.

THOMPSON, J.