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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

CHARLES THOMAS HOLDEN,

Defendant and Appellant.

H038627

(Monterey County

Super. Ct. No. SS120321)

Defendant Charles Thomas Holden set two fires at the Plaskett Creek National Campgrounds to keep himself warm. The first fire was at a campsite around the fire pit area, and appeared to be set by lighting fuel from a gas can. The second fire was set inside a bathroom by lighting what appeared to be a roll of toilet paper.

On March 8, 2012, the Monterey County District Attorney charged defendant with two counts of recklessly causing a fire of structure or forest. (Pen. Code, § 452, subd. (c).) It was further alleged that he had previously been convicted of a felony violation of Penal Code section 451 or 452 and that he was ineligible to be sentenced to serve a term of imprisonment in county jail. (Pen. Code, § 1170, subd. (h)(3).) On April 20, 2012, the trial court heard and denied an opposed motion to dismiss pursuant to Penal Code section 995. On June 20, 2012, appellant pled nolo contendere to count 1 on condition that he would be sentenced to serve 16 months in state prison and that all remaining counts and allegations would be dismissed. On July 18, 2012, appellant was

sentenced pursuant to the plea agreement. He was ordered to pay a restitution fine of \$240, a parole revocation fine in the same amount, a court operation assessment fee of \$40, a court facilities assessment fee of \$30, and \$100 restitution to Plaskett Creek Campgrounds. He was also ordered to register as an arson offender pursuant to Penal Code section 457.1, subdivision (b). All remaining charges and allegations were dismissed pursuant to Penal Code section 1385. Appellant filed a timely notice of appeal on August 2, 2012.

On appeal, appointed counsel filed an opening brief which states the case and the facts but raises no specific issues. We notified defendant of his right to submit written argument in his own behalf within 30 days. Thirty days have elapsed and we have received nothing from the defendant. Pursuant to our obligation as set forth in *People v. Wende* (1979) 25 Cal.3d 436, we have reviewed the record but have found no arguable issues on appeal. Therefore, we will affirm the judgment.

DISPOSITION

The judgment is affirmed.

RUSHING, P.J.

WE CONCUR:

PREMO, J.

ELIA, J.