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

THE PEOPLE,

Plaintiff and Respondent,

v.

JOE A. SANCHEZ,

Defendant and Appellant.

H038859

(Santa Clara County

Super. Ct. Nos. CC898895, C1081799)

In March 2008, defendant Joe A. Sanchez took property from inside an unlocked vehicle parked in the victim's driveway and additional property from the victim's yard. Defendant was charged with two counts of petty theft with a prior (Pen. Code, § 666). He pleaded no contest to both counts in exchange for a grant of probation conditioned on an eight-month jail term.

In March 2009, defendant admitted violating his probation. He had used both alcohol and drugs, failed to appear for appointments with his probation officer, and failed to provide proof of employment. His probation was revoked and reinstated with the condition that he serve another six months in jail. As a condition of this disposition, defendant waived prior credits through March 11, 2009.

In July 2010, defendant took an iPhone from inside of an unsecured vehicle parked in a driveway. He was charged with grand theft (Pen. Code, §§ 484, 487, subd. (a)) and petty theft with a prior. He admitted violating his probation in the 2008 case and pleaded

no contest to the 2010 petty theft with a prior count. The plea agreement provided that the grand theft count would be dismissed, and he would be placed on probation in the 2010 case with a one-year jail term and remain on probation in the 2008 case. In August 2010, the court suspended imposition of sentence and placed him on probation in the 2010 case conditioned on him serving a year in jail. He remained on probation in the 2008 case.

Between December 2011 and February 2012, defendant violated his probation by using drugs and failing to report for appointments with his probation officer. In May 2012, his probation was revoked in both cases, and a warrant was issued for his arrest. In September 2012, he was arrested, and he admitted the probation violations. The court imposed concurrent lower terms of 16 months for each of the two counts in the 2008 case and a concurrent 16-month lower term in the 2010 case. Defendant was ordered to serve his term in county jail under Penal Code section 1170, subdivision (h)(1). He timely filed a notice of appeal.

Appointed appellate counsel has filed an opening brief which states the case and the facts but raises no issues. Defendant was notified of his right to submit written argument on his own behalf but has failed to avail himself of the opportunity. Pursuant to *People v. Wende* (1979) 25 Cal.3d 436, we have reviewed the entire record and have concluded that there are no arguable issues on appeal.

The judgment is affirmed.

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Mihara, J.

WE CONCUR:

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Premo, Acting P. J.

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Grover, J.