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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

STEVENSON BLISS,

Defendant and Appellant.

H041923

(Monterey County

Super. Ct. No. SS140126)

I. INTRODUCTION

Defendant Stevenson Bliss appeals from a final judgment in a criminal action. Appointed counsel filed an opening brief stating the case and facts but raising no issues. We notified defendant of his right to submit written argument on his own behalf. Defendant has not done so.

Pursuant to *People v. Wende* (1979) 25 Cal.3d 436, *People v. Kelly* (2006) 40 Cal.4th 106, and *People v. Mendez* (1999) 19 Cal.4th 1084, we have reviewed the entire record and find no arguable issue on appeal arising from a post-plea conviction in which no probable cause certificate was obtained. Following the California Supreme Court's direction in *Kelly*, we provide "a brief description of the facts and procedural history of the case, the crimes of which the defendant was convicted, and the punishment imposed." (*Kelly*, at p. 110.)

II. DISCUSSION

Defendant was charged with eight counts of committing a lewd act upon a child under the age of 14 occurring between July 2004 and July 2007. (Pen. Code, § 288, subd (a).¹) Counts 1 and 2 included special allegations that defendant had substantial sexual contact with the victim when she was under the age of 11. (§ 1203.066, subd. (a)(8).) Defendant pleaded no contest to the offenses and admitted the enhancement allegations. As a factual basis, defendant wrote on the plea form: “I committed violations of P.C. 288(a) by touching the victim with sexual intent on numerous occasions rubbing vaginal area & buttocks.”

According to the probation report, defendant and his wife were guardians to their biological grandson and the victim. The victim was the grandson’s sister but not biologically related to defendant. Defendant sexually molested the victim for about three years starting when she was seven. On occasions defendant inappropriately touched the victim’s vagina and buttocks, sometimes putting his hand inside her underwear and rubbing her vagina. When the victim was 16 she disclosed defendant’s abuse to his wife. Defendant acknowledged his conduct and the harm it had caused the victim, and at the time of sentencing he was engaged in therapy.

Defendant was sentenced to the lower term of three years on count 1, consecutive to two years (one-third the midterm) on count 2, consecutive to two years (one-third the midterm) on count 3, for an aggregated prison term of seven years. The court imposed concurrent six-year midterm sentences on counts 4 through 8. The court dismissed the section 1203.066 allegations under the terms of the plea agreement.

The court imposed a \$2,000 restitution fund fine (§ 1202.4, subd. (b)), a \$2,000 suspended parole revocation restitution fine (§ 1202.45), a \$300 sex offender conviction fine (§ 290.3), a \$320 court operations assessment (§ 1465.8, subd. (a)(1)), a \$240 court

¹ Undesignated statutory references are to the Penal Code.

facilities assessment (Gov. Code, § 70373), and \$930 in penalty assessments. The court reserved jurisdiction over victim restitution. Defendant was advised of a parole period of five to seven years following release from prison and ordered to register as a sex offender for life.

Defendant did not seek a probable cause certificate. He filed a notice of appeal in which he contended his sentence was contrary to law.

III. DISPOSITION

Finding no arguable issue to benefit defendant, the judgment is affirmed.

Grover, J.

WE CONCUR:

Rushing, P.J.

Elia, J.