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

THE PEOPLE,

Plaintiff and Respondent,

v.

TONY MENDOZA,

Defendant and Appellant.

H043041

(Santa Clara County

Super. Ct. No. 185433)

On September 30, 2015, appellant Tony Mendoza, acting *in propria persona*, filed a petition for recall of sentence pursuant to Penal Code section 1170.126, the resentencing provision of Proposition 36, the Three Strikes Reform Act of 2012. The petition alleged that Mr. Mendoza’s current convictions were for Penal Code sections 192, subdivision (a), 187, 664, 422, and that he had prior convictions for Penal Code sections 187, 664, and 192, subdivision (A). On October 15, 2015, the trial court denied the petition. The order summarizes the convictions in the present case as follows. “Defendant Tony Mendoza . . . was sentenced on January 10, 1997 to an indeterminate term of 100 years to life consecutive to 18 years for attempted voluntary manslaughter with personal infliction of great bodily injury (Penal Code § 192(a)/§ 664, § 12022.7); attempted murder with personal use of a deadly weapon (Penal Code § 187/§ 664, § 12022(b)); two counts of assault with a deadly weapon, one of which involved

infliction of great bodily injury (Penal Code § 245(a)(1); § 12022.7) and two counts of criminal threats with personal use of a deadly weapon (Penal Code § 422, 12022(b)).”

The court denied the petition on two grounds. First, citing subdivision (b) of Penal Code section 1170.126, the court found that the petition was untimely because it was not filed within two years of the operative date of Proposition 36. Second, quoting without citing subdivision (e) of Penal Code section 1170.126, the court found that Mr. Mendoza was ineligible for resentencing because “[a]ll of Defendant's current convictions are for offenses that are either serious or violent felonies or both” Appellant filed a timely notice of appeal on November 9, 2015.

On appeal, we appointed counsel to represent appellant in this court. Appointed counsel filed an opening brief pursuant to *People v. Serrano* (2012) 211 Cal.App.4th 496 (*Serrano*), which states the case and the facts but raises no specific issues. Pursuant to *Serrano*, on March 3, 2016 we notified appellant of his right to submit written argument in his own behalf within 30 days. On April 6, 2016, we received appellant’s supplemental brief. In his brief appellant states that the charges enumerated as prior convictions are incorrect as stated in the opening brief, but does not support this contention factually or explain its effect on the appeal. He also states that he was not aware that there was a time frame to file a Proposition 36 petition because he was ignorant of the law. Ignorance of the law is not a cognizable argument on appeal. He requests that this court “review all prior convictions.” However, he does not explain what type of review of his prior convictions, which are long final, he wishes that this court undertake. As nothing in appellant’s supplemental brief raises an arguable issue on appeal from an order denying his Proposition 36 petition, we must dismiss the appeal. (*Serrano, supra*, 211 Cal.App.4th at pp. 503-504.)

DISPOSITION

The appeal is dismissed.

RUSHING, P.J.

WE CONCUR:

PREMO, J.

ELIA, J.

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