

NOT TO BE PUBLISHED

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

(Placer)

THE PEOPLE,

Plaintiff and Respondent,

v.

KALEB GREGORY ZENO,

Defendant and Appellant.

C091525

(Super. Ct. No. 62155207C)

Appointed counsel for defendant, Kaleb Gregory Zeno, filed an opening brief that sets forth the facts of the case and asks this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable errors that are favorable to defendant, we affirm the judgment.

FACTS AND PROCEDURAL HISTORY

Defendant pleaded no contest to grand theft from the person of another (Pen. Code, § 487, subd. (c); statutory section citations that follow are to the Penal Code), admitted a prior strike (§ 667, subds. (b)-(i)), and admitted a prior prison term (§ 667.5, subd. (b)). The prosecutor stated the factual basis for the plea at the plea hearing as: “On or about September 21st, 2017, in the county of Placer, the defendant took property belonging to the Wal-Mart in Roseville from the person, a loss prevention officer with initials B.H., with the intent to permanently deprive B.H. of that property.” On November 20, 2017, the trial court sentenced defendant, consistent with the plea, to one year four months for grand theft, doubled for the prior strike, plus one year for the prior prison term for a total sentence of three years eight months.

On May 7, 2019, long after his conviction became final, defendant wrote the court asking to be resentenced under Proposition 47. The court denied the motion. Defendant appealed, indicating he would be challenging issues unrelated to his plea.

DISCUSSION

Appointed counsel filed an opening brief that sets forth the facts and procedural history of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of his right to file a supplemental brief within 30 days from the date the opening brief was filed. More than 30 days have elapsed, and defendant has not filed a supplemental brief. Having undertaken an examination of the entire record pursuant to *Wende*, we find no arguable error that would result in a disposition more favorable to defendant. Accordingly, we affirm the judgment.

DISPOSITION

The judgment is affirmed.

HULL, J.

We concur:

RAYE, P. J.

MAURO, J.