

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

THE STATE OF WASHINGTON,

Respondent,

v.

CHARLIE RODRIGUEZ-PONCE,

Appellant.

No. 86697-4-I

DIVISION ONE

UNPUBLISHED OPINION

PER CURIAM — Charlie Rodriguez-Ponce appeals the judgment and sentence entered on his jury conviction of felony hit-and-run. His court-appointed attorney has filed a motion to withdraw on the ground that there is no basis for a good faith argument on review. Pursuant to *State v. Theobald*, 78 Wn.2d 184, 470 P.2d 188 (1970), and *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967),

“Th[e] request [to withdraw] must . . . (1) be accompanied by a brief referring to anything in the record that might arguably support the appeal. (2) A copy of counsel’s brief should be furnished the indigent and (3) time allowed him to raise any points that he chooses; (4) the court—not counsel—then proceeds, after a full examination of all the proceedings, to decide whether the case is wholly frivolous.”

Theobald, 78 Wn.2d at 185 (quoting *Anders*, 386 U.S. at 744).

This procedure has been followed. Rodriguez-Ponce’s counsel on appeal filed a brief with the motion to withdraw. Rodriguez-Ponce was served with a copy of the brief and informed of his right to file a statement of additional grounds for review (SAGR). Rodriguez-Ponce has not filed a SAGR.

The material facts are accurately set forth in counsel's brief in support of the motion to withdraw. The court has reviewed the briefs filed in this court and has independently reviewed the entire record. The court specifically considered the potential issue raised by counsel, i.e., whether there was sufficient evidence to convict Rodriguez-Ponce of felony hit-and-run.

The potential issue is wholly frivolous, and our independent analysis of the record has revealed no other potentially reversible error. Counsel's motion to withdraw is granted, and the appeal is dismissed.

FOR THE COURT:

Cohen, J.

Seldman, J.

Chung, J.