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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

KENNETH A. FARMER, JR.,

Defendant and Appellant.

2d Crim. No. B255140
(Super. Ct. No. YA065034)
(Los Angeles County)

Kenneth A. Farmer, Jr., was convicted of first degree burglary (Pen. Code, § 459), a serious felony (§ 1192.7, subd. (c)(18)). Because Farmer had three or more prior "strike" convictions he was sentenced to an indeterminate term of 30 years to life under the three strikes law (§§ 667, subds. (b)-(i); 1170.12).¹

Farmer petitioned for a recall of his sentence pursuant to Proposition 36 (§ 1170.126). The trial court denied the petition on the ground that first degree burglary is a serious felony, making Farmer ineligible for resentencing (*id.*, subd. (e)(2)). Farmer appeals.

We appointed counsel to represent Farmer in this appeal. After counsel's examination of the record he filed a brief raising no issues.

¹ All statutory references are to the Penal Code unless otherwise stated.

On May 28, 2014, counsel wrote to Farmer informing him he had 30 days to submit to us any issues or contentions he wished to raise on appeal. Farmer has made no such submission. We have reviewed the entire record and are satisfied that Farmer's counsel has fully complied with his responsibilities, and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment (order) is affirmed.

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GILBERT, P. J.

We concur:

YEGAN, J.

PERREN, J.

William C. Ryan, Judge
Superior Court County of Los Angeles

California Appellate Project, Jonathan B. Steiner, Richard B. Lennon,
under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.