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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

In re J.H., a Person Coming Under the  
Juvenile Court Law.

B241729  
(Los Angeles County  
Super. Ct. No. YJ 36517)

THE PEOPLE,

Plaintiff and Respondent,

v.

J.H.,

Defendant and Appellant.

APPEAL from a judgment of the Superior Court of Los Angeles County,  
Stephanie M. Davis, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.)  
Affirmed.

Stephen Borgo, under appointment by the Court of Appeal, for Defendant and  
Appellant.

No appearance for Plaintiff and Respondent.

\* \* \* \* \*

On March 13, 2012, a petition was filed pursuant to Welfare and Institutions Code section 602 alleging appellant committed a battery with serious bodily injury, in violation of Penal Code section 243, subdivision (d). The juvenile court found the petition true and it was sustained. Appellant was placed at home on probation in his parents' home. His appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal. 436 (*Wende*), raising no issues. Appellant was notified he could file his own brief and has not done so.

### **STATEMENT OF FACTS**

March 9, 2012, when appellant's father (father) came home for dinner, he got into an argument with appellant about the location of some plants appellant was growing in Styrofoam cups on the bedroom balcony. Father slapped the cups out of appellant's hands, spilling dirt and plant material onto the balcony. Father then went and sat down at the dinner table with appellant's siblings. Appellant returned to the dinner table area and threw water at father. When father felt the splash of water on his head and attempted to get up he felt something hit his head. Father touched his head, saw blood on his fingers and realized he was bleeding. Appellant left the apartment at that point.

Father and his wife went to the emergency room at Cedars-Sinai hospital. At the emergency room, father received 10 or more stitches on the top of his head and one or two stitches on his arm. The police came and spoke to father at the emergency room. Father said appellant hit him on the head with a water glass. When father returned home he found appellant sleeping in his bed. Father called the police who arrived, arrested appellant and took him to the police station.

At the police station, the officer read to appellant his *Miranda*<sup>1</sup> rights. After waiving those rights, appellant said he wanted to write a statement. The statement said, among other things, he hit his father with a water glass and he was sorry for what he did.

Appellant's 13-year-old brother was called as a witness for the defense. He said after appellant threw water on father, the cup accidentally slipped out of appellant's hand.

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<sup>1</sup> *Miranda v. Arizona* (1966) 384 U.S. 436.

Appellant testified on his own behalf. He confirmed what was written in the statement he gave to the police: that the incident was an accident, that he threw water at his father, and that he attempted to break the glass on his father's plate but his father's head got in the way.

#### **DISCUSSION**

Having reviewed the entire record, we are satisfied that counsel has fully complied with his responsibilities and no arguable issue exists. (*People v. Kelly* (2006) 40 Cal.4th 106, 123-124; *Wende, supra*, 25 Cal.3d at p. 441.)

#### **DISPOSITION**

The judgment is affirmed.

FLIER, J.

WE CONCUR:

RUBIN, Acting P. J.

GRIMES, J.