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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

J.U.,

Defendant and Appellant.

B288933

(Los Angeles County
Super. Ct. No. YJ39476)

APPEAL from a judgment of the Superior Court of Los Angeles County. David S. Wesley, Judge. Affirmed.

Esther R. Sorkin, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

A juvenile court found true allegations that J.U. committed second degree robbery and assault by means of force likely to produce great bodily injury, and declared him a ward of the court. J.U. appealed, and his appointed counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On January 9, 2018, a little after midnight, Matthew L. was walking home from a restaurant in Santa Monica when he was struck on the back of the head and lost consciousness. When Matthew came to, he was on the ground and J.U. was straddling him going through his jacket pockets. J.U. and another person continued to strike and kick Matthew, and he again lost consciousness. When Matthew regained consciousness, he noticed his phone and wallet were missing. Matthew had a two-dollar bill in his wallet, which was a gift from his grandfather before he passed away.

Santa Monica Police Officer Stephanie Tovar responded to a call reporting a fight between three people. She and her partner drove around the area and came across J.U. and another minor, D.M. Both were wearing gloves and had blood stains on their clothing. They told Officer Tovar they had been in a fight.

Officer Tovar arrested and searched J.U. and D.M. On D.M., she found bank cards with Matthew L.'s name. Officer Tovar found a two-dollar bill and a pellet gun in J.U.'s backpack.

The People filed a petition under Welfare and Institutions Code section 602 alleging J.U. committed second degree robbery (Pen. Code, § 211), and assault by means of force likely to produce great bodily injury (Pen. Code, § 245, subd. (a)(4)). At a hearing

on the petition, the People presented evidence establishing the facts summarized above.

J.U. testified in his own defense. According to J.U., he and his friend, D.M., were walking around the downtown area of Santa Monica the evening of January 9. J.U. went into an alley to urinate when he heard someone yell. J.U. went back to the main street and saw D.M. and Matthew L. wrestling on the ground. J.U. thought his friend needed help, so he went over and struck Matthew five to six times. J.U. saw a two-dollar bill on the ground a few feet from Matthew, and picked it up. He did not know it belonged to Matthew. As J.U. and D.M. were walking away, J.U. noticed for the first time that D.M. had a wallet.

The juvenile court found the allegations in the petition true and declared J.U. a ward of the court pursuant to Welfare and Institutions Code section 602. The court took custody from J.U.'s parents and ordered that he be suitably placed.

J.U. filed a timely notice of appeal, and we appointed counsel to represent him. Appointed counsel filed an opening brief pursuant to *Wende, supra*, 25 Cal.3d 436, requesting independent review of the record on appeal for any arguable issues. We notified J.U. by letter that he could submit any argument or issues that he wished our court to review. J.U. has not filed any claims or arguments.

DISCUSSION

We have independently reviewed the record on appeal. We find appointed counsel has fulfilled her duty and that no arguable issues exist. (*Wende, supra*, 25 Cal.3d 436; *People v. Kelly* (2006) 40 Cal.4th 106.)

DISPOSITION

The judgment is affirmed.

BIGELOW, P.J.

We concur:

RUBIN, J.

DUNNING, J.*

* Judge of the Orange Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.