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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.

ROBERT G. PATTERSON, JR.,

Defendant and Appellant.

2d Crim. No. B249481
(Super. Ct. No. 2011003692)
(Ventura County)

Robert G. Patterson, Jr. appeals a judgment after conviction by guilty plea to one count of possessing methamphetamine. (Health & Saf. Code, § 11377, subd. (a).) The trial court suspended imposition of sentence and placed Patterson on Proposition 36 drug treatment probation. (Pen. Code, § 1210.1.) We affirm.

Patterson filed a notice of appeal. We appointed counsel to represent him. After counsel examined the record, he filed an opening brief raising no issues. We advised Patterson that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. He filed a supplemental brief, a "Motion for New Authorities," a "Motion to Resubmit," a "Motion for Judicial Notice," another "Motion for New Authorities," and a "Motion to Amend the Notice of Appeal."

Patterson was charged with possessing methamphetamine, possessing narcotic paraphernalia, and being under the influence. (Health & Saf. Code, §§ 11377, subd. (a), 11364, 11550, subd. (a).) At the arraignment, he accepted a plea agreement pursuant to

which the trial court dismissed two of the three counts and granted Proposition 36 probation. The record reflects that he knowingly and voluntarily waived his right to trial.

Patterson filed a post-judgment ex parte "Motion to Set Aside and Dismiss the Verdict of Guilty with Prejudice," which the trial court denied for failure to serve the district attorney and to comport with the requirements of Penal Code section 1018. Patterson filed another "Motion to Set Aside and Dismiss the Verdict of Guilty with Prejudice," which the trial court also denied. We granted Patterson's motion to augment the record to include these motions. Patterson filed a notice of appeal, an amended notice of appeal, and a request for a certificate of probable cause, which the trial court denied.

Patterson contends that the case should have been dismissed after the trial court suppressed evidence in an April 12, 2013, order. The contention is not supported by the record; the trial court denied the motion to suppress. Patterson also contends that the complaint was not properly endorsed by a magistrate, that he was not timely tried, that his plea agreement was not binding because it was signed on different dates by the district attorney and the trial court, and that he should have been convicted of a misdemeanor rather than a felony. These issues are not reviewable because they arose before entry of the plea and would affect the validity of the plea. (Pen. Code, § 1237.5, Cal. Rules of Court, rule 8.304(b)(1), (4).)

We have reviewed the entire record and are satisfied that Patterson's attorney has fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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GILBERT, P.J.

We concur:

YEGAN, J.

PERREN, J.

Kevin J. McGee, Judge
Superior Court County of Ventura

Richard B. Lennon, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.