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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

WILLIAM MARTIN
CRESHAM,

Defendant and Appellant.

B278427

(Los Angeles County
Super. Ct. No. MA067475)

APPEAL from a judgment of the Superior Court of
Los Angeles County, Charles Chung, Judge. Affirmed.

Katja Grosch, under appointment by the Court of Appeal,
for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

Defendant William Martin Cresham pled no contest to one count of making criminal threats. He was sentenced to probation, and a protective order was entered requiring him to avoid contact with the victim of the threats. The court later found that defendant violated his probation by threatening to physically harm a roommate and violating the protective order, and sentenced defendant to 16 months in prison. Defendant appealed.

We have conducted an independent examination of the entire record pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), and conclude that no arguable issues exist. We therefore affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On November 30, 2015, the Los Angeles County District Attorney filed a complaint charging defendant with felony criminal threats to Lauren S.¹ (count 1) and Diane S. (count 2), in violation of Penal Code section 422, subdivision (a).² The complaint alleged that each count was a serious crime pursuant to section 1192.7, subd. (c). Defendant initially pled not guilty. As part of a plea deal, defendant changed his plea to no contest to count 1, and count 2 was dismissed. The court imposed a suspended sentence, five years' probation, 60 days of community labor, a year of domestic violence counseling, a 10-year protective

¹ We refer to the victims by their first names to protect their privacy. (See Cal. Rules of Court, rule 8.90(b)(4).)

² All further statutory references are to the Penal Code unless otherwise indicated.

order barring contact with the two victims, and various fines and fees. The court later replaced the 60-day community labor requirement with a requirement of 180 days of light community service due to defendant's medical condition.

At a hearing on August 24, 2016, the court revoked defendant's probation. The court found the sheriff's department had been called to defendant's residence on three separate instances, and there had been an incident between defendant and his roommate involving a disagreement over a dog. Defendant had also had contact with the victim Lauren, in violation of the protective order. The court set the matter for a probation violation hearing.

At the hearing on September 7, 2016, one of defendant's roommates, Stephen B., testified that he witnessed an argument between defendant and another roommate, in which defendant blamed the roommate for letting defendant's dog out of the house. Stephen testified that defendant accused him of taking sides in the argument, told him to stay out of it, and threatened him with physical violence. Stephen also testified that he had seen Lauren at their house at least five times in the last several months. The other roommate did not testify.

Defendant testified that Lauren had been at his house, but said she had not been there five times. He said she came to the house unannounced, and he had asked her to leave. Defendant also testified that he initially had trouble finding a domestic violence course as required in the probation order, and after he enrolled in a course he missed "a couple" of sessions. Defendant also admitted that he had punched holes in the walls of his house at least once in the last four months. The parties rested, and defense counsel argued that defendant had not been arrested as a

result of the argument among roommates. The prosecution offered no closing argument.

The court found that defendant had violated probation by being in contact with Lauren in violation of the protective order and by threatening his roommate. The court sentenced him to the low term of 16 months in prison and imposed various fines and fees.

Defendant timely appealed.

WENDE REVIEW

On appeal, defendant's appointed counsel filed a brief requesting that we independently review the record for error. (*Wende, supra*, 25 Cal.3d at p. 443.) We directed counsel to send the record and a copy of the brief to defendant, and notified defendant of his right to respond within 30 days. We have received no response.

We have examined the entire record, and are satisfied no arguable issues exist in the appeal before us. (*Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 110; *Wende, supra*, 25 Cal.3d at p. 443.)

DISPOSITION

Affirmed.

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COLLINS, J.

We concur:

WILLHITE, Acting P. J.

MANELLA, J.