

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER WILLIAMS,

Defendant and Appellant.

B294090

(Los Angeles County
Super. Ct. No. YA095655)

APPEAL from a judgment of the Superior Court of Los Angeles County, Eric C. Taylor, Judge. Affirmed.

Christopher Love, under appointment by the Court of Appeal, for Defendant and Appellant.

Xavier Becerra, Attorney General of California, Lance E. Winters, Senior Assistant Attorney General, Steven D. Matthews, Supervising Deputy Attorney General, Ryan M. Smith, Deputy Attorney General, for Plaintiff and Respondent.

The trial court ordered Christopher Williams to make restitution to his robbery victims. Williams claimed he was first entitled to an ability-to-pay hearing under *People v. Dueñas* (2019) 30 Cal.App.5th 1157, 1169 (*Dueñas*). We affirm. Statutory references are to the Penal Code.

Williams pleaded no contest to two counts of robbing to get diamond rings. We dismissed his appeal of his prison sentence because he did not obtain a certificate of probable cause. (*People v. Williams* (2019) 37 Cal.App.5th 602, 606, review granted Sept. 25, 2019, S257538.) At Williams’s request, we judicially notice that appeal’s record.

The trial court ordered Williams to pay direct victim restitution of \$62,112.18 plus interest. Williams argues the trial court had to determine his ability to pay before it could make this order. He cites *Dueñas*, where direct victim restitution was “*not* at issue.” (*Dueñas, supra*, 30 Cal.App.5th at p. 1169, italics added.) This case concerns *only* direct victim restitution. Nevertheless, Williams says *Dueñas*’s logic entitled him to an ability-to-pay hearing. This is incorrect.

The *Dueñas* decision did not consider the constitutional interest in victim restitution at stake here. “It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.” (Cal. Const., art. I, § 28, subd. (b), par. (13)(A).) Californians enacted this unequivocal provision out of concern for victims. This constitutional mandate eclipses Williams’s contention.

DISPOSITION

The judgment is affirmed.

WILEY, J.

We concur:

BIGELOW, P. J.

GRIMES, J.