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REPORTS**

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IN THE COURT OF APPEAL OF THE STATE OF
CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

GABRIEL RODRIGUEZ,

Defendant and Appellant.

B280896

(Los Angeles County
Super. Ct. No. PA069166)

APPEAL from an order of the Superior Court of Los Angeles County, David W. Stuart, Judge. Affirmed.

Theresa Osterman Stevenson, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

Defendant Gabriel Rodriguez pled no contest to heroin possession for sale in violation of Health and Safety Code section 11351. The trial court placed defendant on three years' formal probation. Defendant subsequently filed a petition to withdraw his plea for failure to advise of immigration consequences as required by Penal Code section 1016.5. The trial court denied the motion. This appeal followed.

Defendant's appointed counsel filed an opening brief in accordance with *People v. Wende* (1979) 25 Cal.3d 436 requesting this court to conduct an independent review of the record to determine if there are any arguable issues. On July 26, 2017, we gave notice to defendant that counsel had failed to find any arguable issues and defendant had 30 days within which to submit by brief or letter any grounds of appeal, contentions, or arguments he wished this court to consider. Defendant did not file a brief or letter. We affirm.

DISCUSSION

We have reviewed the record and are satisfied that defendant's counsel has fully complied with her responsibilities and no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d at p. 441.) The record clearly demonstrates defendant was advised of the immigration

consequences of his plea as required by Penal Code section 1016.5. Accordingly, we affirm the order.

DISPOSITION

The order is affirmed.

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RAPHAEL, J.*

We concur:

KRIEGLER, Acting P.J.

BAKER, J.

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