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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.

JOANN GALVAN VALDEZ,

Defendant and Appellant.

B263508

(Los Angeles County
Super. Ct. No. VA125399)

APPEAL from an order of the Superior Court of Los Angeles County, Lori Ann Fournier, Judge. Affirmed.

Adrian K. Panton, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant, Joann Galvan Valdez, pled no contest to transportation or sale of: heroin (Health & Saf. Code, § 11352, subd. (a)); marijuana (Health & Saf. Code, § 11360, subd. (a)); and methamphetamine (Health & Saf. Code, § 11379, subd. (a)). She admitted the truth of a prior conviction allegation within the meaning of Penal Code sections 667, subdivision (d) and 1170.12, subdivision (b). She was sentenced to 10 years in state prison. We modified and affirmed the judgment on appeal. (*People v. Valdez* (June 22, 2015, B256852) [nonpub. opn.].)

Defendant presently appeals from an order denying her Penal Code section 1170.18 resentencing petition. We appointed counsel to represent defendant on appeal. After examining the record, appointed appellate counsel filed an “Opening Brief” in which no issues were raised. Instead, appointed appellate counsel requested this court independently review the entire record on appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441. (See *Smith v. Robbins* (2000) 528 U.S. 259, 277-284.) On November 6, 2015, we advised defendant of her right to file a supplemental brief within 30 days. No supplemental brief has been received.

We have examined the entire record and are satisfied appointed appellate counsel has fully complied with his responsibilities. Resentencing is available only when a person has been convicted of an offense specified in 1170.18, subdivision (a). Defendant is ineligible for resentencing because Health and Safety Code sections 11352, 11360 and 11379 are not among the offenses specified in Penal Code section 1170.18, subdivision (a). The trial court properly denied defendant’s Penal Code section 1170.18 resentencing petition.

The order under review is affirmed.

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TURNER, P.J.

We concur:

MOSK, J.

KRIEGLER, J.