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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE, Plaintiff and Respondent, v. TEMOC CEJA Defendant and Appellant.	B231209 (Los Angeles County Super. Ct. No. BA334403)

THE COURT:*

Temoc Ceja, charged with 17 counts of second degree robbery (Pen. Code, § 211),[1] appeals from the judgment entered upon his convictions of eight of those counts upon his no contest plea and admission of one prior felony strike conviction within the meaning of sections 1170.12, subdivisions (a) through (d) and 667, subdivisions (b) through (i) and one prior serious felony conviction within the meaning of section 667, subdivision (a). Pursuant to the plea agreement, the trial court sentenced appellant to an aggregate state prison term of 29 years. A certificate of probable cause has not been obtained.

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* BOREN, P. J., ASHMANN-GERST, J., DOI TODD, J.

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

FACTUAL AND PROCEDURAL BACKGROUND

Appellant's convictions were based upon the following facts:[2] Between October 22, 2007, and December 17, 2007, appellant was involved in numerous robberies of food trucks. Each of the robberies involved a similar modus operandi; appellant approached the trucks with what appeared to be a weapon in his hand, threatened to kill the victim, demanded money, and, when he received it, walked to his car parked nearby and left.

The district attorney filed an information alleging 17 counts of robbery against appellant and further alleging that he had suffered three prior felony strikes within the meaning of sections 1170.12, subdivisions (a) through (d) and 667, subdivisions (b) through (i) and one serious felony within the meaning of section 667, subdivision (a).

On January 19, 2011, after pretrial proceedings punctuated by appellant's in propria persona filings of numerous discovery motions, motions to disqualify the judge, suppress evidence, and disclose the identity of informants, and other motions, appellant entered into a plea agreement. After receiving the appropriate advisements, appellant pled no contest to eight of the 17 robbery counts and admitted one prior felony strike and one prior serious felony. The remaining counts were dismissed.

The trial court sentenced appellant to 29 years in state prison pursuant to the plea agreement, calculated as follows: the upper term of five years on one robbery count, doubled to 10 years as a second strike, plus one-third the midterm on the other seven robbery counts, or one year each, doubled as second strikes, for a total of 14 years, plus a five year prior serious felony enhancement.

We appointed counsel to represent appellant on appeal. After examination of the record, counsel filed an "Opening Brief" in which no issues were raised. On October 18, 2011, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider.

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[2] The cursory statement of facts is taken from the preliminary hearing transcript.

On November 7, 2011, appellant filed a handwritten supplemental brief, asserting what we interpret to be a challenge to his admission of a prior felony strike he incurred in federal court. Appellant's admission of that strike was part and parcel of his plea agreement. Hence, his claim on appeal amounts to a challenge to the plea agreement. Section 1237.5 states the general rule that a defendant can appeal from a judgment of conviction upon a plea of guilty or no contest only if the defendant files a statement under oath showing reasonable grounds going to the legality of the proceedings, and the trial court executes and files a certificate of probable cause for the appeal. (*People v. Lloyd* (1998) 17 Cal.4th 658, 663.) No certificate of probable cause was obtained here, rendering the issue he raises not cognizable on this appeal.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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