

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS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 This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.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 THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

GEORGE PICASSO,

Defendant and Appellant.

B266042

(Los Angeles County
Super. Ct. Nos. TA134793, TA136657)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Allen J. Webster, Jr., Judge. Affirmed.

Carlos Ramirez, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant George Picasso¹ appeals from a judgment after a court trial. We affirm.

BACKGROUND

On August 27, 2014, a felony complaint, case No. TA134793, was filed against Picasso, alleging two counts of first degree residential burglary (Pen. Code, § 459).² The complaint also alleged that Picasso had, within the meaning of section 1203, subdivision (e)(4), felony convictions for receiving stolen property (§ 496, subd. (a)), possession of a controlled substance (Health & Saf. Code, § 11350, subd. (a)), and stalking (§ 646.9). Picasso pleaded no contest to count 2, burglary, which the court found to be in the second degree. The court, on September 11, 2014, suspended imposition of sentence and placed Picasso on probation for three years on the condition he serve 120 days in jail.

A second felony complaint, case No. TA136657, was filed against Picasso on March 9, 2015, alleging count 1, carrying a dirk or dagger (§ 21310).³ The complaint also alleged that Picasso had, within the meaning of section 1203, subdivision (e)(4), felony convictions for burglary (§ 459) and for stalking (§ 646.9, subd. (a)). On March 23, 2015, Picasso pleaded no contest to count 1 and admitted the prior convictions. The court suspended imposition of a three-year sentence and placed him on probation for three years on the condition he serve 180 days in jail.

Picasso, however, did not comply with the terms of probation. On May 25, 2015, Deputy Sheriff Joshua Bohnert saw Picasso, with whom Bohnert was familiar. On seeing the deputy, Picasso ran. Bohnert found Picasso sitting near the front door of a town home, emptying his pockets. When Bohnert asked Picasso if he was on probation, Picasso said he was, and therefore the deputy detained him “for probation investigation.”

¹ Picasso is also known as Jorge Luis Picazo.

² All further undesignated statutory references are to the Penal Code.

³ Based on the filing of that complaint, probation was revoked in case No. TA134793.

Among the items Picasso discarded was a four and a half inch fixed knife with a black handle. When Picasso saw the deputy with the knife, Picasso said, “ ‘Come on. Give me a break. I am already on probation for a dirk or dagger.’ ”

On July 23, 2015, the court, after denying Picasso’s *Marsden*⁴ motion, found he violated probation in both cases, TA134793 and TA136657. Probation was revoked. On case No. TA136657, the court sentenced him to three years in prison on count 1. In TA134793, the court sentenced him to a concurrent term of two years in prison on count 2, burglary. On each case, the court imposed a \$300 restitution fine, a \$300 parole revocation fine, a \$40 court security fee, a \$30 court conviction fee, and a \$20 DNA fee.

DISCUSSION

After review of the record, Picasso’s court-appointed counsel filed an opening brief which raised no issues and asked this court to conduct an independent review of the record, under *People v. Wende* (1979) 25 Cal.3d 436, 441. By letter dated January 22, 2016, we advised Picasso that he had 30 days to submit by brief or letter any contentions or argument he wished this court to consider. Picasso did not file a brief.

We have examined the record and are satisfied Picasso’s appellate attorney has fully complied with the responsibilities of counsel and no arguable issue exists. (*People v. Kelly* (2006) 40 Cal.4th 106, 126; *People v. Wende, supra*, 25 Cal.3d at p. 441.)

⁴ *People v. Marsden* (1970) 2 Cal.3d 118.

DISPOSITION

The judgment is affirmed.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

ALDRICH, Acting P. J.

We concur:

LAVIN, J.

HOGUE, J.*

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