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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.

KEVIN ROBINSON,

Defendant and Appellant.

B272101

(Los Angeles County
Super. Ct. No. TA132346)

THE COURT:*

Kevin Robinson appeals from the trial court's order resentencing him after remand. We appointed counsel to represent him on this appeal.

Counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), and requested this court to independently review the record on appeal to determine whether any arguable issues exist. On November 16, 2016, we sent a notice to defendant, advising him he had 30

* ASHMANN-GERST, Acting P.J. HOFFSTADT, J. GOODMAN, J.†

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

days in which to personally submit any contentions or issues which he wished us to consider. He has not done so.

Defendant was convicted of one count of possession for sale of cocaine in violation of Health and Safety Code section 11351.5. He appealed. In case No. B259143, we affirmed the judgment of conviction but remanded the matter for resentencing and for a recalculation of defendant's presentence credits. On remand, the trial court resentenced defendant in accordance with the amended version of section 11351.5 and recalculated his presentence credits as he had requested on appeal. This appeal followed.¹

We have examined the record and are satisfied defendant's attorney on appeal has complied with the responsibilities of counsel and no arguable issue exists. (*Wende, supra*, 25 Cal.3d at p. 441; see also *Smith v. Robbins* (2000) 528 U.S. 259, 278-282; *People v. Kelly* (2006) 40 Cal.4th 106, 122-124.)

The judgment is affirmed.

¹ While this matter was on remand, defendant filed a petition for writ of habeas corpus alleging ineffective assistance of counsel. The trial court denied the petition. Although the record in this matter contains the writ petition and order, the court's order denying the petition is not appealable. (See *People v. Garrett* (1998) 67 Cal.App.4th 67 Cal.App.4th 1419, 1421-1422 [denial of petition for writ of habeas corpus is not an appealable order].)