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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

SCOTT DALE GATES,

Defendant and Appellant.

2d Crim. No. B261621
(Super. Ct. No. GA037429-01)
(Los Angeles County)

Scott Dale Gates appeals an order denying a petition to recall his 25-years-to-life sentence pursuant to the procedure set forth in Penal Code section 1170.126, the Three Strikes Reform Act of 2012.¹

On January 14, 2000, Gates was convicted of two counts of robbery. (§ 211.) The trial court found that Gates suffered two prior serious felony strike convictions and imposed a 25-years-to-life sentence pursuant to the three strikes law. (§§ 667, subd. (b)-(i), 1170.12, subds. (a)-(d).)

On November 4, 2014, Gates filed a petition to recall his sentence pursuant to section 1170.126, subdivision (b). The trial court denied the petition, ruling that Gates did not qualify for resentencing because his current strike offenses (robberies) were serious felonies pursuant to sections 667.5, subdivision (c)(9) and 1192.7, subdivision (c)(19). (§ 1170.126, subd. (e)(1).) Gates appeals.

¹ All further statutory references are to the Penal Code.

We appointed counsel to represent Gates in this appeal. After counsel's examination of the record, he filed an opening brief raising no issues.

On June 10, 2013, we advised Gates by mail that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. We have not received a response.

We have reviewed the entire record and are satisfied that Gates's attorney has fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The order is affirmed.

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GILBERT, P.J.

We concur:

YEGAN, J.

PERREN, J.

William C. Ryan, Judge
Superior Court County of Los Angeles

Richard B. Lennon, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Plaintiff and Respondent.