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

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER BRUCE PORTER,

Defendant and Appellant.

B280110

Los Angeles County
Super. Ct. No. 6PH07950

APPEAL from an order of the Superior Court of Los Angeles County, Jacqueline H. Lewis, Judge. Affirmed.

Heather E. Shallenberger, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

Defendant and appellant Christopher Porter appeals from the superior court's order revoking and reinstating his parole supervision on condition that he serve 180 days in jail.

Defendant's counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, stating that no arguable issue exists and requesting that this court independently review the record. We have reviewed the entire record and find no arguable issue. We affirm the order.

PROCEDURAL BACKGROUND

Defendant was previously convicted of burglary in the second degree (Pen. Code, § 459)¹ and, after serving a prison term, he was released to parole supervision on July 26, 2015.² As a condition of parole supervision, defendant was required to wear a GPS tracking device 24 hours a day and was also prohibited from tampering with the device.

On November 7, 2016, defendant's parole officer, Eric Corral, was notified that a "master tamper" event had occurred on defendant's GPS tracking device. Generally, the "master tamper" alert indicates that the person wearing the device has either removed it or has tampered with the strap attached to the device. Defendant appeared at Corral's office on November 8, 2016, and was immediately apprehended.

On November 16, 2016, the Department of Corrections and Rehabilitation filed a petition for revocation of parole under

¹ All undesignated statutory references are to the Penal Code.

² Defendant is also a registered sex offender based on earlier offenses.

section 3000.08, subdivision (f), alleging defendant had removed his GPS tracking device and absconded from parole.

On December 20, 2016, at the contested parole revocation hearing, defendant testified that he “burned” the GPS device in order to remove it from his leg. Defendant had a visible injury on his left leg at the time he was apprehended.

The court found that defendant violated the terms and conditions of his parole supervision. The court then revoked and reinstated parole supervision, conditioned on defendant serving 180 days in county jail under section 3010.10, subdivision (d). Defendant filed a timely notice of appeal.

On May 24, 2017, defendant’s appellate counsel filed a brief in which she raised no issues and asked us to review the record independently. (*People v. Wende, supra*, 25 Cal.3d at p. 443.) Later that day, we notified defendant that his counsel failed to find any arguable issues and that he had 30 days to submit by brief or letter any arguments he wished this court to consider. We have not received a response.

DISCUSSION

We have examined the entire record, and are satisfied appellate counsel has fully complied with her responsibilities and no arguable issue exists in the appeal before us. (*Smith v. Robbins* (2000) 528 U.S. 259, 278–284; *People v. Wende, supra*, 25 Cal.3d at p. 443.)

DISPOSITION

The order revoking and reinstating defendant's parole conditioned on his serving 180 days in jail is affirmed.

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LAVIN, J.

WE CONCUR:

EDMON, P. J.

BACHNER, J.*

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