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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

ABDUR SHAREEF,

Defendant and Appellant.

B282856

(Los Angeles County
Super. Ct. No. 7PH00512)

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.

Abdur Shareef appeals from a parole revocation order which sentences him to 180 days in county jail for violating the terms of his parole. We affirm.

FACTS

Shareef was convicted of first degree burglary in violation of Penal Code 459 and released on parole on March 1, 2016. As a condition of his parole, he was prohibited from contacting or associating with anyone he knew or reasonably should know to be a member or associate of a gang.

On December 31, 2016, Los Angeles Police Department Officers Lance Hill and Mario Cubillos performed a traffic stop involving Shareef, Cordney Jeter, and a third man. All three men were sitting in an illegally parked car. Officer Cubillos asked Jeter if he was a member of a gang. Jeter identified himself as a Hoover Crip gang member while he stood next to Shareef on the sidewalk. Shareef also admitted to being a Hoover Crip. Shareef was arrested for associating with someone he knew to be a gang member in violation of his parole. As a result, he was placed on an ankle monitor as an intermediate sanction for the violation.

On February 4, 2017, Shareef and Jeter were again stopped by Officers Hill and Cubillos in the same location. This time, Shareef's parole officer filed a petition for revocation of parole alleging Shareef violated a condition of his parole by associating with someone he knew to be a gang member. At the contested probation revocation hearing, Officers Hill and Cubillos testified to the two incidents described above. Shareef's parole officer testified to the conditions of his parole and the intermediate sanction he suffered as a result of the first violation. Jeter was found to be unavailable to testify after exercising his Fifth Amendment rights.

The trial court found by a preponderance of the evidence that Shareef violated the conditions of his parole by associating with someone he knew to be a member of his own gang. Parole supervision was revoked and would be restored upon completion of 180 days in county jail. The trial court calculated 50 actual days in custody plus 50 good time/work time credits for a total of 100 days custody credit. In addition to the other terms and conditions of parole, the trial court ordered Shareef to stay 100 yards away from Jeter. Shareef timely appealed.

DISCUSSION

We appointed counsel to represent Shareef on appeal. Appointed counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, asking our court to review the record independently for any arguable issues. We notified Shareef by letter that he could submit any arguments or issues that he wished our court to review. We have received no response. We have independently reviewed the record on appeal, and find that appointed counsel has fulfilled her duty, and that no arguable issues exist. (*Wende, supra*, 25 Cal.3d 436; *People v. Kelly* (2006) 40 Cal.4th 106.)

DISPOSITION

The parole revocation order is affirmed.

BIGELOW, P.J.

We concur:

RUBIN, J.

GRIMES, J.