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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.

RAWLS JUSTIN AMORES,

Defendant and Appellant.

2d Crim. No. B284344  
(Super. Ct. No. 2017006678)  
(Ventura County)

Rawls Justin Amores appeals after pleading guilty to possession of methamphetamine while armed with a firearm (Health & Saf. Code, § 11370.1, subd. (a)).

A police officer stopped Amores for a seatbelt violation. During the stop another officer saw a firearm on the floor of Amores's vehicle. It was loaded. A subsequent search revealed methamphetamine in one of Amores's jacket pockets.

We appointed counsel to represent Amores in this appeal. After counsel examined the record, he filed an opening brief that raises no arguable issues.

In a supplemental brief, Amores contends trial counsel provided ineffective assistance when she did not move to suppress evidence of the methamphetamine found on his person. But “the legality of the search was never challenged or litigated, [so] facts necessary to a determination of that issue are lacking.’ [Citation.]” (*People v. Mendoza Tello* (1997) 15 Cal.4th 264, 266.) Though the record reveals that counsel did not file a motion to suppress, it does not reveal why she did not do so. Perhaps she knew of additional facts, outside the record on appeal, that “may very well have justified the officer’s conduct and counsel’s decision not to attack the validity of the search.” (*Id.* at p. 267.) Because those facts are not in the record, Amores’s “claim on appeal must be rejected.’ [Citations.]” (*Id.* at p. 266.)

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

The judgment is affirmed.

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TANGEMAN, J.

We concur:

GILBERT, P. J.

YEGAN, J.

Bruce A. Young, Judge

Superior Court County of Ventura

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

No appearance for Plaintiff and Respondent.