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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.

LOUIS JEROME
HOLLINGSWORTH,

Defendant and Appellant.

B281806

(Los Angeles County
Super. Ct. No. BA451374)

APPEAL from a judgment of the Superior Court of Los Angeles County. Craig E. Veals, Judge. Affirmed.

Leonard J. Klaif, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

* * * * *

Defendant and appellant Louis Jerome Hollingsworth was convicted, following a bench trial, of 21 felonies arising from a fraudulent scheme to transfer and sell real property to which he did not have title, including 12 counts of money laundering related to the proceeds of the fraudulent sale. Defendant was sentenced to state prison for 12 years. Defendant's appointed appellate counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). We have reviewed the record and finding no arguable appellate issues, affirm.

On January 5, 2017, defendant was charged by information with 21 felonies: four counts of procuring and offering a false or forged instrument (Pen. Code, § 115, subd. (a); counts 1, 3, 7 & 9), two counts of perjury by declaration (§ 118, subd. (a); counts 2 & 6), one count of preparing false documentary evidence (§ 134; count 4), one count of offering false evidence (§ 132; count 5), one count of grand theft (§ 487, subd. (a); count 8), and 12 counts of money laundering (§ 186.10, subd. (a); counts 10 through 21).

As to counts 1, 3, 7 and 9, it was alleged defendant had suffered a prior conviction for procuring a false or forged instrument in violation of Penal Code section 115, that the conviction consisted of more than one violation with intent to defraud, involved a cumulative financial loss in excess of \$100,000, and that defendant recorded a false or forged instrument with the county recorder encumbering title to real property. As to count 8 (grand theft), it was alleged the theft consisted of property valued in excess of \$65,000 within the meaning of section 12022.6, subdivision (a)(1). It was further alleged, as to all counts, that the charges were related felonies involving a pattern of fraud or embezzlement and involving in excess of \$100,000, thus providing a basis for heightened

punishment within the meaning of section 186.11, subdivision (a)(3) and section 12022.6, subdivision (a)(1). Finally, it was alleged as to all counts that defendant had suffered six prior felony convictions within the meaning of section 1203, subdivision (e)(4).

Defendant pled not guilty and moved to represent himself. The court granted his request, and ordered the alternate public defender to serve as standby counsel.

Defendant waived his right to trial by jury. The case proceeded to a bench trial in March 2017. The trial testimony revealed the following material facts.

In 2007, defendant was convicted, following a plea of no contest, in case No. BA145351, of grand theft of real property located at 3980 Brighton Avenue in Los Angeles (the Brighton property). His former wife was a codefendant. Defendant was sentenced to state prison for eight years.

The Brighton property belonged to Ruth Williams, to whom defendant was not related. Henry Williams was Ruth Williams's son and only heir. Ruth Williams passed away in 1991 and title to the Brighton property transferred to him upon her death. Mr. Williams initially lived in the property for a number of years, but it was vacant for several years thereafter due to defects that affected its habitability. Mr. Williams paid the property taxes on it through 2015 when he stopped receiving a tax bill. After making inquiries, he discovered that title had been transferred to Zenaida Moreno, someone he did not know. Around the same time, he was served with a complaint for quiet title from defendant. The action was dismissed before he could file an answer.

In 2015, after being released from prison, defendant participated in the transaction for the sale of the Brighton property to Ms. Moreno. Defendant was identified on the relevant paperwork, including the grant deed he executed, as the titleholder and seller. Ms. Moreno paid \$180,000 for the Brighton property and paid over \$60,000 to remodel and upgrade the property. Thereafter, she was served by Mr. Williams with a complaint for quiet title, alleging he was the true owner of the Brighton property.

The proceeds of the sale of the Brighton property to Ms. Moreno were \$147,798.11. That amount was wire-transferred by the escrow officer to defendant's account at Chase Bank. Defendant then withdrew small amounts in succession until the full amount was withdrawn. Each withdrawal was a cashier's check made payable to defendant. The account was then closed.

The prosecution presented numerous exhibits, including the paperwork related to defendant's 2007 conviction for fraudulently obtaining title to the Brighton property, as well as the second fraudulent transfer in 2015. Defendant argued to the court that he had obtained title to the property by a quitclaim deed in 1996 executed by his former wife and had no idea the deed was invalid. The court explained to defendant that much of his proposed evidence was inadmissible and irrelevant. Defendant announced to the court he no longer wanted to be involved in "this charade." Defendant requested to be returned to his housing unit and chose not to participate further. Standby counsel appeared on defendant's behalf for the remainder of the proceedings.

The court found defendant guilty as charged, finding the evidence “overwhelming.”

Defendant refused to be brought to court for the sentencing hearing. The court continued the hearing to allow defense counsel the opportunity to talk to defendant again and encourage him to participate. Defendant waived, in writing, his right to be present at entry of judgment and sentencing.

The court sentenced defendant to an aggregate state prison term of 12 years, calculated as follows: an upper term of three years on count 1, the base count, plus a consecutive one-year enhancement pursuant to Penal Code section 186.11; consecutive one-year terms (one third the midterm) on counts 2 and 6; consecutive eight-month terms (one third the midterm) on counts 10 through 18; three-year upper terms on counts 3 and 4, stayed pursuant to section 654; concurrent three-year upper terms on counts 5, 7, 9, 19, 20, and 21; and a concurrent three-year upper term on count 8, plus a one-year enhancement pursuant to section 12022.6. Defendant was awarded 516 presentence custody credits (258 actual days, 258 good time/work time). The court imposed various fines and fees, and ordered restitution to Ms. Moreno in the amount of \$191,254.08.

Defendant filed a timely notice of appeal. We appointed appellate counsel to represent defendant. Appellate counsel filed a *Wende* brief in which no issues were raised. The brief included a declaration from counsel that he reviewed the record and sent a letter to defendant explaining his evaluation of the record, along with copies of the record. Counsel further declared he advised defendant of his right, under *Wende*, to submit a supplemental brief within 30 days.

Defendant did not file a supplemental brief.

We have examined the entire record submitted to this court and are satisfied that appointed counsel fully complied with his responsibilities in assessing whether or not any colorable appellate issues exist. We conclude there are no arguable appellate issues. (*People v. Kelly* (2006) 40 Cal.4th 106; *Wende, supra*, 25 Cal.3d 436, 441.)

DISPOSITION

The judgment of conviction is affirmed.

GRIMES, J.

WE CONCUR:

BIGELOW, P. J.

HALL, J.*

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