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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. ISSAC JAY GARZA et al., Defendants and Appellants.	2d Crim. No. B228779 (Super. Ct. No. 1284824) (Santa Barbara County)

Issac Jay Garza appeals a judgment following conviction of first degree murder, attempted second degree robbery, discharge of a firearm at an occupied motor vehicle, and possession of a firearm by a felon, with findings that he personally discharged a firearm and committed the crimes to benefit a criminal street gang. (Pen. Code, §§ 187, subd. (a), 189, 664, 211, 246, 12021, 12022.53, subd. (e), 12022.5, subd. (a)(1), 186.22, subd. (b).)[1]

Carlos E. Valdez appeals a judgment following conviction of first degree murder and attempted second degree robbery, with findings that a principal discharged a firearm causing death and that Valdez committed the crimes to benefit a criminal street gang. (§§ 187, subd. (a), 189, 664, 211, 12022.53, subd. (e), 186.22, subd. (b).)

[1] All further statutory references are to the Penal Code unless otherwise stated. References to sections 12021, 12022.5, and 12022.53 are to versions in effect prior to repeal effective January 1, 2012.

FACTS AND PROCEDURAL HISTORY

This appeal concerns crimes committed in Santa Maria on a single day by "Northwest" criminal street gang members against "West Park" criminal street gang members. Northwest gang members discharged a firearm at an occupied motor vehicle, committed an attempted robbery of Jorge Zirate and three other West Park gang members, and then fatally shot Zirate. Northwest gang associates Ernesto Ruiz and Orlando Diaz participated in the crimes but later entered into plea agreements with the prosecution and testified at trial against fellow gang members Garza and Valdez.

Discharge of a Firearm at an Occupied Motor Vehicle

(Count 3)

On September 1, 2008, the occupants of a Toyota Camry automobile pursued and fired a firearm at Ruiz as he drove in Santa Maria. Ruiz then sought the aid of his brother Javier, Garza, and Diaz to locate the automobile and "fight" its occupants. Javier drove his extended cab pickup truck and Garza, carrying a .380 caliber firearm, sat in the backseat. When they saw the Camry automobile, Ruiz shouted, "Blast that fool." Garza then leaned out the window of the truck and fired toward the automobile. The bullet struck and dented the side of Javier's truck, however. Garza fired the firearm only once because it jammed. Later forensic analysis established that the truck dent was consistent with a bullet strike from a .380 caliber firearm.

Attempted Robbery of West Park Members and Murder of Zirate

(Counts 1 and 2)

Later that day, Garza and Diaz looked for an illegal immigrant to rob, because such a victim would be unlikely to report the crime. Garza, Valdez, Diaz, and Ruiz had committed similar robberies in the past using Garza's gun. Garza then called Ruiz and asked him to drive. Valdez accompanied Ruiz when he picked up Garza and Diaz. Garza was carrying a .380 caliber firearm.

That evening near Russell Street, Garza, Valdez, Diaz, and Ruiz encountered four young men, including Zirate, who by their dress and appearance

appeared to be street gang members. Garza called out a "barrio check" to learn their gang affiliation. The men said they belonged to the rival street gang, West Park. The Northwest gang members, wearing bandanas and gloves, left Ruiz's automobile. Garza drew his firearm, and at gunpoint, Diaz patted down a West Park gang member for money or valuables. Garza and Zirate exchanged "trash talk[]"-words that were not "friendly."

The four West Park gang members suddenly ran and the Northwest gang members gave chase. Diaz ran only a short distance when he heard a gunshot. He ran back to Ruiz's automobile as did Ruiz, Garza, and Valdez, who carried a small baseball bat. As they drove away, Garza stated, "I think he [Zirate] dropped." Valdez was angry and stated, "[W]hat the hell" when a bullet "flew right by him." Later, Garza advised Diaz to "[j]ust relax, act like nothing happened."

Zirate died in the alley near his home. Doctor Robert Anthony, a forensic pathologist, performed an autopsy and found that a bullet penetrated Zirate's chest wall, lung, pericardium, and pulmonary artery. Anthony concluded that the wound was not survivable. He opined that the trajectory of the bullet was consistent with Zirate running as he was shot, and that the wound was inflicted at "distant range." Police officers discovered an ammunition casing approximately 260 feet from Zirate's body.

On September 8, 2008, one week following Zirate's death, Santa Maria Police Officer Rudy Alvara stopped an automobile driven by Ruiz because Ruiz was speaking on a cellular telephone while driving. Garza sat in the front passenger seat and Diaz sat in the backseat. Garza responded to Alvara that he was on parole and Ruiz responded that he was on probation. Following a search, Alvara arrested Garza for possession of a methamphetamine pipe. In his clothing, Garza carried a newspaper article concerning Zirate's killing.[2] Alvara found several pair of black gloves, bandanas,

[2] The newspaper article was found in Garza's pocket. It stated: "[T]he killing of Jorge Luis Zirate, 18, took place just days earlier on Labor Day. Police have named no suspects in the shooting of Zirate of Santa Maria which happened in the 900 block of south Russell [A]venue."

and a loaded .380 caliber firearm in the automobile. The firearm and one bandana were under Garza's seat. Later forensic analysis established that the ammunition casing found 260 feet from Zirate's body had been fired from the firearm discovered in Ruiz's automobile.

After his arrest, Diaz was housed at the Santa Barbara County jail. When the jail classification deputy asked Diaz about his possible housing with West Park gang members, Diaz stated: "I was just there. I didn't do anything. If my cousin doesn't step up, then I will."

On January 23, 2009, during his pretrial confinement, Diaz agreed to wear a recording device and share a jail cell with Valdez, who had been arrested the previous day. Diaz showed Valdez a fictional police report stating that a neighbor heard the gunshot and heard someone shout Valdez's moniker, "Slick." During their conversation, Valdez stated, "[T]his is all [Garza's] fault," and that Garza should "man up" to the crimes. Valdez asked Diaz to remind him whether they wore bandanas during the robbery. Diaz confirmed that they did. Later, police officers interviewed Valdez. When Valdez returned to the cell, he appeared "panicked," and stated: "[T]hey were hitting me with the truth" but that he did not "admit to shit." At trial, the prosecutor played the recording of the jail conversation between Valdez and Diaz.

Diaz entered into a plea agreement with the prosecution in exchange for his promise to testify truthfully at trial. He also testified that he was disappointed that Garza did not "man up" to committing the crimes. Ruiz also entered into a plea agreement in exchange for his truthful testimony at trial.

The jury convicted Garza and Valdez of first degree murder and attempted second degree robbery. (§§ 187, subd. (a), 189, 664, 211.) It also convicted Garza of discharge of a firearm at an occupied motor vehicle and possession of a firearm by a felon. (§§ 246, 12022.5, subd. (a)(1), 12021.) The jury found that Garza personally discharged a firearm causing death and that Garza and Valdez committed the crimes to benefit a criminal street gang. (§§ 12022.53, subd. (e), 186.22.)

The trial court sentenced Garza to a prison term of 96 years to life, ordered restitution, imposed a $10,000 restitution fine, stayed a $10,000 parole revocation restitution fine, and a $30 court security fee, and awarded Garza 792 days of presentence custody credit. The court sentenced Valdez to a prison term of 78 years to life, ordered restitution, imposed a $10,000 restitution fine, stayed a $10,000 parole revocation restitution fine, and a $30 court security fee, and awarded Valdez 656 days of presentence custody credit.

Garza and Valdez appeal and contend: 1) insufficient evidence supports their conviction of attempted second degree robbery; 2) insufficient evidence supports Valdez's conviction of first degree murder; 3) the trial court erred by admitting evidence of Valdez's jail statements because they were obtained in violation of his statutory and constitutional rights to a timely arraignment; 4) the trial court erred by admitting evidence of Valdez's jail statements implicating Garza, in violation of *Bruton v. United States* (1968) 391 U.S. 123; 5) the trial court erred by refusing to instruct regarding voluntary manslaughter; and 6) the trial court was not aware of its discretion to impose concurrently served prison terms for counts 1 and 2. Each defendant also joins the other's arguments as applicable. (Cal. Rules of Court, rule 8.200(a)(5).)

DISCUSSION

I.

Garza and Valdez argue that there is insufficient evidence of attempted second degree robbery because the testimony of accomplices Diaz and Ruiz was not corroborated by independent evidence. (§ 1111 ["A conviction cannot be had upon the testimony of an accomplice unless it be corroborated by such other evidence as shall tend to connect the defendant with the commission of the offense; and the corroboration is not sufficient if it merely shows the commission of the offense or the circumstances thereof"].)

In reviewing the sufficiency of evidence to support a conviction, we examine the entire record and draw all reasonable inferences therefrom in favor of the

judgment to determine whether there is reasonable and credible evidence from which a reasonable trier of fact could find the defendant guilty beyond a reasonable doubt. (*People v. Elliott* (2012) 53 Cal.4th 535, 585.) We do not redetermine the weight of the evidence or the credibility of witnesses. (*Ibid.*) '"Conflicts and even testimony which is subject to justifiable suspicion do not justify the reversal of a judgment, for it is the exclusive province of the trial judge or jury to determine the credibility of a witness and the truth or falsity of the facts upon which a determination depends.'" (*Ibid.*)

To corroborate the testimony of an accomplice, the prosecution must present independent evidence that tends to connect the defendant with the charged crime, without aid or assistance from the accomplice's testimony. (§ 1111; *People v. Richardson* (2008) 43 Cal.4th 959, 1024.) Corroborating evidence is sufficient if it tends to connect defendant with the charged crime in such way as to reasonably satisfy the jury that the accomplice is being truthful. (*People v. Davis* (2005) 36 Cal.4th 510, 543.) The evidence may be slight and entitled to little consideration when considered alone, but it must tend to implicate the defendant and relate to an act or fact that is an element of the crime. (*Richardson*, at p. 1024.) A defendant's own testimony and reasonable inferences therefrom may be sufficient corroborative testimony. (*People v. Bunyard* (1988) 45 Cal.3d 1189, 1208, fn. 9.)

Accomplices Ruiz and Diaz testified that they had committed prior robberies with Garza and Valdez using Garza's firearm. In the evening of September 1, 2008, the four men wore bandanas and gloves and stopped their vehicle when they saw the four West Park gang members near Russell Street. Ruiz, Diaz, Garza, and Valdez left their vehicle and Garza held the four West Park gang members at gunpoint. Ruiz testified that "everybody like got their own man." Diaz patted down one of the West Park gang members for money or valuables, but then the men suddenly ran.

There is sufficient corroborating evidence of attempted second degree robbery: Santa Maria Police Detective Dan Cohen testified that he interviewed Valdez and informed him that the police knew that Valdez and the other Northwest gang

members had attempted a robbery. Later, in his cell, Valdez stated to Diaz that "they were hitting me with the truth." Valdez also asked Diaz if they were "wearing bandos [bandanas] when we did it?" Valdez also stated, "[W]hat the fuck, I had a bando." Moreover, when Police Officer Alvara stopped and detained the Ruiz automobile on September 8, 2008, he found a .380 firearm, gloves, and bandanas in the vehicle. Garza was a front-seat passenger in the automobile and Alvara found the firearm and a bandana under his seat. This evidence satisfies the requirements of section 1111.

II.

Valdez asserts that there is insufficient evidence to support his conviction of premeditated and deliberate murder as an aider and abettor, or as a natural and probable consequence of aiding and abetting the attempted second degree robbery. (*People v. Medina* (2009) 46 Cal.4th 913 [shooting death of rival gang member reasonably foreseeable consequence of gang assault].)

We need not discuss this contention because the prosecutor also pursued a felony-murder theory against defendants: Garza committed the murder in the course of the attempted robbery and because Valdez participated in the attempted robbery, he was liable on a felony murder theory. The trial court instructed with CALCRIM Nos. 548 ("Murder: Alternative Theories"), 540A and 540B ("Felony Murder: First Degree"), and 549 ("Felony Murder: One Continuous Transaction Defined"). The jury convicted Garza and Valdez of attempted second degree robbery and found that a principal discharged a firearm proximately causing another person's death within the meaning of section 12022.53, subdivision (e). The jury thus obviously accepted the felony murder theory.

III.

Valdez asserts that the trial court prejudicially erred by admitting evidence of his jail statements to Diaz because the statements were obtained in violation of his statutory rights and federal and state constitutional rights to a timely arraignment. (Cal. Const., art. I, § 14; § 825 [arrestee must be taken before magistrate without unnecessary

delay and within 48 hours of arrest].)[3] He contends that the prosecution delayed his arraignment in order to obtain the jail conversation, pointing out that he was arrested Thursday afternoon, January 22, spoke with Diaz in jail on Friday afternoon, January 23, and was arraigned in court on Monday, January 26. (*County of Riverside v. McLaughlin* (1991) 500 U.S. 44, 56 [police may not delay arraignment in order to gather additional evidence against accused].) Valdez acknowledges that well-settled law holds that *Miranda v. Arizona* (1966) 384 U.S. 436 and *Massiah v. United States* (1964) 377 U.S. 201 do not apply to the circumstances of his jail conversation with Diaz. (*People v. Davis*, *supra*, 36 Cal.4th 510, 554 [*Miranda* inapplicable when defendant does not know that he is speaking to an agent of the police]; *People v. Thornton* (2007) 41 Cal.4th 391, 433-434 [*Massiah* applies after adversary judicial criminal proceedings have been initiated, such as arraignment, preliminary hearing, or indictment].)

Valdez has forfeited his claim of untimely arraignment because he did not object on this ground in the trial court. Generally, failure to object to evidence at trial on a specific ground relieves the reviewing court of the obligation to consider the asserted error on appeal. (*People v. Kennedy* (2005) 36 Cal.4th 595, 612, overruled on other grounds by *People v. Williams* (2010) 49 Cal.4th 405, 459; *People v. Sapp* (2003) 31 Cal.4th 240, 270 [failure to object to five-day delay between arrest and arraignment].) '"Specificity is required both to enable the court to make an informed ruling on the motion or objection and to enable the party proffering the evidence to cure the defect in the evidence.'" (*People v. Boyette* (2002) 29 Cal.4th 381, 424.) Although Valdez and Garza objected on grounds of *Miranda* and *Massiah*, they specifically did not object on the basis of untimely arraignment pursuant to section 825. The lack of specific objection prevented the prosecutor from presenting evidence regarding the dates and times of

[3] Section 825 provides: "(a)(1) Except as provided in paragraph (2), the defendant shall in all cases be taken before the magistrate without unnecessary delay, and, in any event, within 48 hours after his or her arrest, excluding Sundays and holidays. [¶] (2) When the 48 hours prescribed by paragraph (1) expire at a time when the court in which the magistrate is sitting is not in session, that time shall be extended to include the duration of the next court session on the judicial day immediately following. . . ."

Valdez's arrest and booking at jail, his conversation with Diaz, and his arraignment. The trial court also was not asked to make factual findings regarding these matters and the timeliness of arraignment.[4] (*People v. Richardson*, *supra*, 43 Cal.4th 959, 991 [to exclude post-arrest admissions, defendant must show that arraignment delay produced his admissions or that there was an essential connection between the delay and the admissions]; *People v. Turner* (1994) 8 Cal.4th 137, 175 [delay in arraignment not unreasonable to permit prosecutor to discern each suspect's culpability in double murder and robbery prosecution], overruled on other grounds by *People v. Griffin* (2004) 33 Cal.4th 536, 555, fn. 5.)

We also do not consider Valdez's claim of ineffective assistance of counsel based upon his attorney's failure to object to the jail conversation on the basis of untimely arraignment. "Failure to object rarely constitutes constitutionally ineffective legal representation." (*People v. Boyette*, *supra*, 29 Cal.4th 381, 424.) An appellate record "rarely" shows that the failure to object was the result of counsel's ineffectiveness. (*People v. Lopez* (2008) 42 Cal.4th 960, 966.)

IV.

Garza argues that the trial court erred pursuant to *Bruton v. United States*, *supra*, 391 U.S. 123, by permitting evidence of Valdez's jail statements that implicated him as well. (*Id.* at p. 137 [evidence admitted in a joint trial of a codefendant's confession implicating defendant violates the defendant's confrontation rights].) He points to Valdez's statements that he (Garza) had a "part" concerning the firearm, that "[t]his is all [Garza's] fault," and that Garza stated "he was partying with some bitches in Orcutt" at the time of the killing, among other statements. Garza also asserts that the statements are inadmissible hearsay evidence that is untrustworthy. He adds that the error is not harmless beyond a reasonable doubt. (*Chapman v. California* (1967) 386 U.S. 18.)

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[4] Although we have granted judicial notice of jail records concerning the date and time that Valdez was arrested and booked, Valdez should have presented this evidence in the first instance to the trial court.

For several reasons, we reject Garza's argument.

First, *Bruton v. United States*, *supra*, 391 U.S. 123, has no application to out-of-court nontestimonial statements, including statements by codefendants. (*Whorton v. Bockting* (2007) 549 U.S. 406, 420; *People v. Arceo* (2011) 195 Cal.App.4th 556, 571.) *People v. Cage* (2007) 40 Cal.4th 965, 984, discussed the principles determining whether a statement is testimonial: "[T]hough a statement need not be sworn under oath to be testimonial, it must have occurred under circumstances that imparted, to some degree, the formality and solemnity characteristic of testimony. [Fn. omitted.] [T]he statement must have been given and taken *primarily* for the *purpose* ascribed to testimony-to establish or prove some past fact for possible use in a criminal trial. [T]he primary purpose for which a statement was given and taken is to be determined 'objectively,' considering all the circumstances that might reasonably bear on the intent of the participants in the conversation." Obviously, Valdez's jail conversation with Diaz does not meet this definition. (*People v. Jefferson* (2008) 158 Cal.App.4th 830, 839, 842-844 [conversation between codefendants in jail cell secretly recorded by police was not testimonial].)

Second, as the trial court found, Valdez's statements, including those implicating Garza, were admissible hearsay statements because they were trustworthy statements against Valdez's penal interest. (Evid. Code, § 1230; *People v. Arceo*, *supra*, 195 Cal.App.4th 556, 575 [declaration against interest may be admitted in a joint trial as long as the statement satisfies the statutory definition and the constitutional requirement of trustworthiness].) Valdez did not attempt to shift responsibility for the crimes to Garza. Instead, his statements indicate that he acted in concert with Garza and was therefore guilty of robbery and murder. Moreover, the statements were uttered in reliable circumstances-conversation between friends in a noncoercive setting. (*Arceo*, at p. 577.) As the trial judge stated, the statements "appear to be . . . made in apparently a confidential setting between friends who have chapter and verse on each other and can speak freely . . . ."

Third, any error is harmless under any standard of review. (*People v. Arceo*, *supra*, 195 Cal.App.4th 556, 579 [error harmless beyond a reasonable doubt where extrajudicial statement cumulative of direct testimony].) Valdez's statements implicating Garza were cumulative of the direct testimony of Ruiz and Diaz implicating Garza in the attempted robbery and murder. When arrested, Garza had a newspaper article in his pocket describing the killing and the firearm that fired the fatal shot was under his seat in Ruiz's automobile. Garza also gave investigating police officers a vague alibi, indicating his consciousness of guilt. There is no prejudicial error from admission of Valdez's statements into evidence at trial.

V.

Garza contends that the trial court erred by refusing an instruction regarding the lesser-included offense of voluntary manslaughter based upon killing in the heat of passion. (§ 192, subd. (a) [voluntary manslaughter is an unlawful killing without malice and "upon a sudden quarrel or heat of passion"]; *People v. Breverman* (1998) 19 Cal.4th 142, 163 [voluntary manslaughter is a killing committed in a sudden quarrel or heat of passion such that the killer's reason was obscured due to provocation sufficient to cause a reasonable man to act rashly or without due deliberation and reflection].) He asserts that evidence that the West Park gang members declared their gang membership and engaged in "trash talking" was sufficient to warrant a voluntary manslaughter instruction. Garza argues that according to criminal street gang culture, a gang insult may be reasonably perceived as provocation for violence.

In criminal cases, the trial court must instruct on general principles of law relevant to the issues raised by the evidence and necessary to the jury's understanding of the case. (*People v. Enraca* (2012) 53 Cal.4th 735, 758.) The evidence necessary to support a lesser-included offense instruction must be substantial evidence from which reasonable jurors could conclude that the facts underlying the instruction exist. (*Ibid.*; *People v. Moon* (2005) 37 Cal.4th 1, 30 [trial court may properly refuse instruction that is not supported by substantial evidence].)

The crime of murder may be reduced to voluntary manslaughter if the victim engaged in provocative conduct sufficient to cause an ordinary person with an average disposition to act rashly or without due deliberation and reflection. (*People v. Enraca*, *supra*, 53 Cal.4th 735, 759; *People v. Lasko* (2000) 23 Cal.4th 101, 108.) The law does not demand a specific type of provocation and it need not be anger or rage. (*Lasko*, at p. 108.)

The heat of passion element of voluntary manslaughter has an objective and a subjective component. (*People v. Enraca*, *supra*, 53 Cal.4th 735, 759.) "Objectively, the victim's conduct must have been sufficiently provocative to cause an ordinary person of average disposition to act rashly or without due deliberation and reflection." (*Ibid.*) The standard is not the reaction of a "reasonable gang member." (*Ibid.*) Subjectively, the accused must be shown to have killed while under the actual influence of a strong passion induced by such provocation. (*Ibid.*)

The trial court did not err by refusing a voluntary manslaughter instruction because there is insufficient evidence that Garza acted in the heat of passion when he shot Zirate. Insults and gang-related challenges are insufficient provocation to an ordinary person to merit the instruction. (*People v. Enraca, supra*, 53 Cal.4th 735, 759.) The "reasonable person" standard determines provocation and the evidence, viewed most favorably to the defense, must establish sufficient provocation to cause a reasonable person to kill. (*People v. Lucas* (1997) 55 Cal.App.4th 721, 739 [occupants of car smirked and shouted at defendant].) The criminal street gang milieu does not define the reasonable person standard for provocation. (*Enraca,* at p. 759 ["[W]e have rejected arguments that insults or gang-related challenges would induce sufficient provocation in an *ordinary* person to merit an instruction on voluntary manslaughter"].)

VI.

Garza and Valdez argue that the trial court misapprehended its discretion to sentence them to terms served concurrently, rather than consecutively, for counts 1 and 2. (§ 669; *People v. Rodriguez* (2005) 130 Cal.App.4th 1257, 1263 [trial court

misunderstood its discretion to impose concurrent terms].) They point to the trial judge's ruling regarding the non-applicability of section 654 (a different aspect of sentencing) to the two counts: "I think [the prosecutor's] argument does change what I had thought about the 654. I don't think I have the discretion. If I had the discretion, I might well exercise it, but I don't think it's appropriate in multiple victim-I don't think it's authorized to multiple victim cases." Garza and Valdez add that sentencing by a trial court that is uninformed regarding its sentencing discretion violates a defendant's constitutional right to due process of law. They contend that we must vacate sentence for count 2 and remand the matter for the court to consider and exercise its discretion. (*People v. Deloza* (1998) 18 Cal.4th 585, 600 [resentencing required where trial court misunderstood scope of its discretion to impose concurrent terms].)

We presume that the trial court is aware of its statutory sentencing discretion. (*People v. Moran* (1970) 1 Cal.3d 755, 762; *People v. Gutierrez* (2009) 174 Cal.App.4th 515, 527.) "[W]e cannot presume error where the record does not establish on its face that the trial court misunderstood the scope of that discretion." (*Gutierrez*, at p. 527.)

The trial court discussed its lack of discretion to stay sentence pursuant to section 654 where different counts involve different victims. The record does not support the assertion that the court mistakenly believed it had no discretion to impose concurrently served prison terms.

In any event, the trial court imposed the upper prison term for count 2 for each defendant and stated aggravating factors for its selection. The probation report indicates that Garza has a lengthy criminal history and received a psychological evaluation in 2002 that opined that he presents "many of the personality and behavioral characteristics of a psychopath." The probation officer found no factors in mitigation and recommended upper term and consecutive sentences for counts 1 and 2. The probation report for Valdez describes a serious juvenile record regarding assault with a firearm and his probationary status when he committed the present crimes. The probation officer also

found no factors in mitigation and likewise recommended upper term and consecutive sentences for counts 1 and 2. The trial judge considered and signed each probation report. The court clearly would not have exercised sentencing discretion to impose a more lenient sentence. (*People v. Gutierrez, supra*, 174 Cal.App.4th 515, 527.)

The judgments are affirmed.

NOT TO BE PUBLISHED.

GILBERT, P.J.

We concur:

COFFEE, J.*

PERREN, J.

* Retired Associate Justice of the Court of Appeal, Second Appellate District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

Jed Beebe, Judge

Superior Court County of Santa Barbara

Susan B. Lascher, under appointment by the Court of Appeal, for Defendant and Appellant Isaac Jay Garza.

Madeline McDowell, under appointment by the Court of Appeal, for Defendant and Appellant Carlos E. Valdez.

Kamala D. Harris, Attorney General, Dane R. Gillette, Chief Assistant Attorney General, Linda C. Johnson, Supervising Deputy Attorney General, Michael Katz, Deputy Attorney General, for Plaintiff and Respondent.