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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

ANGELICA MARAVILLA,

Defendant and Appellant.

B280507

(Los Angeles County
Super. Ct. No. TA 127070-01)

APPEAL from an order of the Superior Court of Los Angeles
County, H. Clay Jacke, II, Judge. Affirmed.

David R. Greifinger, under appointment by the Court of Appeal,
for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

The trial court found that defendant and appellant Angelica Maravilla was in violation of the terms of her probation and revoked the suspension of her four-year prison sentence for felony child abuse. (Pen. Code, § 273a, subd. (a).) Maravilla's appellate counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), raising no issues on appeal and requesting that we independently review the record. We affirm.

In June 2013, Maravilla pleaded no contest to one count of felony child abuse (Pen. Code, § 273a, subd. (a)) and one count of misdemeanor driving under the influence. (Veh. Code, § 23152, subd. (a).) Evidence at the preliminary hearing in the case showed that Maravilla was under the influence of alcohol at the time she crashed her SUV through a fence and into a tree stump in February 2013. Her two daughters, ages 8 and 12, were passengers in the car at the time. Both daughters told police officers that they had seen their mother drinking alcohol before the crash.

The trial court imposed a suspended sentence of four years in prison, the midterm for felony child abuse, and placed Maravilla on probation for three years. For the drunk driving charge, the court imposed a concurrent sentence of 264 days in jail, with credit for 264 days served.

On July 27, 2016, the trial court revoked Maravilla's probation after she failed to appear in court. At a probation violation hearing in January 2017, an investigator with the Los Angeles County Probation Department testified that Maravilla had violated the terms of her probation on several occasions. The terms of Maravilla's probation required her to obey all laws and to report to her probation officer once per month. According to the investigator, Maravilla pleaded guilty in 2015 to driving with a suspended license in violation of Vehicle Code, section 14601, subdivision (a). In addition, although Maravilla reported to her probation officer as required 39 times, she stopped doing so after May 25, 2016. As of the day of the hearing, she had failed to report for six months.

The trial court found that a preponderance of the evidence showed that Maravilla was in violation of probation because she had failed to report to probation as required. The court revoked the suspension of Maravilla's four-year prison sentence with credit for 360 days served.

We appointed counsel to represent Maravilla in the matter. After examining the record, counsel filed a *Wende* brief raising no issues on appeal and requesting that we independently review the record. On July 10, 2017, we sent a letter to Maravilla and to counsel. In the letter, we directed counsel to immediately send the record on this appeal and a copy of the *Wende* brief to Maravilla and informed Maravilla that she had 30 days to submit by letter or brief any ground of appeal, contention or argument she wished us to consider. We did not receive a response from her.

We have reviewed the entire record on appeal pursuant to *Wende, supra*, 25 Cal.3d 436 and *People v. Kelly* (2006) 40 Cal.4th 106. We are satisfied that Woods's appellate attorney has fully complied with the responsibilities of counsel and that no arguable appellate issue exists. We review the trial court's factual findings for substantial evidence, and the court's order revoking probation for abuse of discretion. (*People v. Butcher* (2016) 247 Cal.App.4th 310, 318.) “The discretion of the court to revoke probation is analogous to its power to grant the probation, and the court's discretion will not be disturbed in the absence of a showing of abusive or arbitrary action.” (*People v. Urke* (2011) 197 Cal.App.4th 766, 773.) We find that substantial evidence supports the trial court's factual findings, and further, that the court did not abuse its discretion by revoking Maravilla's probation.

DISPOSITION

The trial court's order is affirmed.

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ROTHSCHILD, P. J.

We concur:

CHANEY, J.

JOHNSON, J.