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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

DANIEL BAIS,

Defendant and Appellant.

B239893

(Los Angeles County
Super. Ct. No. VA120839)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Michael Schuur, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Nadezhda M. Habinek, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Following a traffic stop on July 11, 2011, police officers discovered that defendant Daniel Bais was driving a car without the registered owner's permission. Defendant was thereafter charged by information with one count of unlawfully driving or taking a vehicle in violation of Vehicle Code section 10851, subdivision (a). The information specially alleged that defendant had suffered two prior serious or violent felony convictions within the meaning of the "Three Strikes" law (Pen. Code, §§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d)), and he had served four separate prison terms for felonies (Pen. Code, § 667.5, subd. (b)). Represented by appointed counsel, defendant pleaded not guilty to the charge and denied the special allegations.

On the eve of trial, the trial court granted the People's motion to dismiss one of the prior strike allegations, and the defendant's motion to bifurcate trial on the remaining special allegations. At the conclusion of the trial on February 16, 2012, the jury convicted defendant as charged.

After defendant admitted the prior strike allegation and one prior prison term allegation, the court sentenced him to an aggregate state prison term of seven years, consisting of six years (three year upper term doubled under the Three Strikes law) for driving or taking a vehicle without the owner's consent, plus one year for the prior prison term enhancement. The court ordered defendant to pay a \$40 court security fee, a \$30 criminal conviction assessment and a \$1,500 restitution fine. The court imposed and suspended a parole revocation fine pursuant to Penal Code section 1202.45. Defendant was awarded a total of 448 days of presentence credit (224 actual days and 224 days of conduct credit).

We appointed counsel to represent defendant on appeal. After an examination of the record, counsel filed an opening brief in which no issues were raised. On August 15, 2012, we advised defendant he had 30 days in which to personally submit any contentions or issues he wished us to consider. No response has been received to date.

We have examined the record and are satisfied defendant's attorney has fully complied with the responsibilities of counsel, and no arguable issue exists. (*Smith v.*

Robbins (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

WOODS, J.

We concur:

PERLUSS, P. J.

ZELON, J.