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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.

THOMAS EDWARD ARRINGTON,

Defendant and Appellant.

B260625

(Los Angeles County
Super. Ct. No. SA053468)

APPEAL from an order of the Superior Court of Los Angeles County, William C. Ryan, Judge. Affirmed.

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

No appearance for Plaintiff and Respondent.

* * * * *

Defendant Thomas Edward Arrington was convicted of first degree burglary and sentenced under the “Three Strikes” law prior to the effective date of the Three Strikes Reform Act of 2012 (the Act). “The Act amended the Three Strikes law so that an indeterminate life sentence may only be imposed where the offender’s third strike is a serious and/or violent felony or where the offender is not eligible for a determinate sentence based on other disqualifying factors.” (*Teal v. Superior Court* (2014) 60 Cal.4th 595, 596 (*Teal*).)

Defendant appeals from the trial court’s denial of his petition for resentencing. Pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), defendant’s counsel filed an opening brief requesting that this court review the record to determine whether any arguable issue exists on appeal. We find no arguable issue and affirm.

FACTS AND PROCEDURE

Defendant was convicted of first degree burglary and had two prior first degree burglary convictions. (*People v. Arrington* (Oct. 4, 2007, B191734) [nonpub. opn.]) Pursuant to the Three Strikes law, he was sentenced to state prison for 35 years to life. (*Ibid.*) This court affirmed the judgment in 2007. (*Ibid.*)

Defendant filed a petition for resentencing. He argued that his sentence should be modified under Penal Code section 1170.126, which is part of The Act. Defendant also stated that his appellate counsel was ineffective, but did not provide any basis for his claim.

The trial court denied defendant’s petition. The court explained that defendant was ineligible for resentencing because his commitment offense was a serious felony.

This appeal followed. The order is appealable. (*Teal, supra*, 60 Cal.4th at p. 597.)

DISCUSSION

We appointed counsel to represent defendant. Counsel identified no issues. We advised defendant that he had 30 days to submit a letter identifying any contentions, and defendant did not file a letter. We have examined the entire record. We are satisfied no arguable issue exists, and defendant’s counsel has fully satisfied his responsibilities.

(*Wende, supra*, 25 Cal.3d 436, 441-443; see also *People v. Kelly* (2006) 40 Cal.4th 106, 123-124; *Smith v. Robbins* (2000) 528 U.S. 259, 279-284.)

DISPOSITION

The order denying defendant's petition for resentencing is affirmed.

FLIER, J.

WE CONCUR:

RUBIN, Acting P. J.

GRIMES, J.