

**NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS**

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSE LUIS PEREZ,

Defendant and Appellant.

B231623

(Los Angeles County  
Super. Ct. No. LA065525)

THE COURT:\*

Jose Luis Perez appeals from the judgment entered following his convictions pursuant to a no contest plea to committing a lewd act upon a child under the age of 14 (Pen. Code, § 288, subd. (a), count 2)<sup>1</sup> and continuous sexual abuse of a child (§ 288.5, count 3). Pursuant to the plea agreement, the trial court sentenced appellant to a term of 16 years on count 3, with a concurrent term of six years on count 2. Appellant requested a certificate of probable cause, which was denied.

---

\* DOI TODD, Acting P. J., ASHMANN-GERST, J., CHAVEZ, J.

<sup>1</sup> All further statutory references are to the Penal Code unless otherwise indicated.

Appellant's convictions were based upon the following facts:<sup>2</sup>

Appellant lived with the family of L.M., his 14-year-old niece when she was five or six years old. On one occasion when appellant was alone with her, he placed his hand underneath her pajamas and touched her vagina, inserted his finger, but stopped when she crawled away from him.

When M.M, L.M.'s older brother, was six or seven years old, appellant went into M.M.'s bedroom and sat down on the bed where M.M. was playing video games. Appellant put his arm around M.M.'s shoulder, then slid his hand down and touched his penis. Similar incidents happened on multiple occasions.

Appellant admitted to police officers touching his nephew's penis twice and penetrating his niece's vagina with his finger on three occasions. He said he was sexually aroused when he touched L.M.

We appointed counsel to represent appellant on appeal. After examination of the record, counsel filed an "Opening Brief" in which no issues were raised. On December 5, 2011, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. No response has been received.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS.

---

<sup>2</sup> Because appellant's convictions were the result of a no contest plea, the facts are taken from the preliminary hearing transcript.