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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.

DONNELL PAIGE,

Defendant and Appellant.

B275512

(Los Angeles County  
Super. Ct. No. YA093264)

APPEAL from a judgment of the Superior Court of Los Angeles County.  
Steven R. Van Sicklen, Judge. Affirmed.

Donna Ford, under appointment by the Court of Appeal, for Defendant  
and Appellant.

No appearance for Plaintiff and Respondent.

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At around 3:30 a.m. on November 1, 2015, Jonathan Soto returned home from work and was seated in his parked car in front of his house on the 1100 block of 105<sup>th</sup> Street when Donnell Paige knocked on the driver's side window, pointed a gun at Soto, and told him to get out of his car. Soto got out of the car, left the keys in the ignition with the engine off, went into his house, and called the police. When Soto looked out his window, he saw that Paige was still inside of Soto's parked car. The windshield wipers and turn signal indicators were both operating. Soto went back outside and yelled at Paige to get out of the car. Paige stepped out of Soto's car and ran away. Soto gave conflicting testimony as to whether he believed the gun was fake.

Edgar Jaimes lived down the block from Soto. Sometime around 3:30 a.m. that same morning Jaimes was awakened by the sound of one or two gunshots. About 10 minutes later, Jaimes heard someone trying to force his way into Jaimes's apartment. That person turned out to be Paige. Jaimes told Paige to leave or he would call the police. Paige said he would wait, and then lay down outside Jaimes's front door. Paige was texting on a mobile phone and asked Jaimes for the address. Jaimes left to check on his children, but when he returned soon after he saw a firearm magazine in a bucket on his porch. Jaimes also noticed that Paige was bleeding from his lower neck area.

When Los Angeles County sheriff's deputies arrived at Jaimes's house, they found the still-bleeding Paige lying down on Jaimes's front porch. Deputies also found a semi-automatic handgun containing rounds of ammunition nearby where Paige was found. At around 4 a.m. sheriff's deputies took Soto down the street, where he identified Paige as his assailant. About two hours later, deputies found another loaded semi-automatic handgun two houses down from Jaimes's residence.

Including a mid-trial, amended information, Paige was charged with four counts: (1) attempted carjacking (Pen. Code, §§ 664 & 215, subd. (a));<sup>1</sup> (2) possession of a firearm by a felon (§ 29800, subd. (a)(1)); (3) possession of ammunition by a felon (§ 30305, subd. (a)(1)); and (4) attempted aggravated trespass (§§ 664 & 602.5, subd. (b).) As to the attempted carjacking count, the information also alleged that Paige had personally used a firearm (§§ 1203.06, subd. (a)(1), 12022.53, subd. (b)), making the offense both a serious felony (§ 1192.7, subd. (c)(8)) and a violent felony (§ 667.5, subd. (c)(8)). The information also alleged that, for purposes of the first three counts, Paige had prior convictions for unlawful possession of a firearm (former § 12021) and possession of an assault weapon (former § 12280), that qualified for the one-year sentence enhancements provided by section 667.5, subdivision (b).

Before trial began, Paige waived a jury trial on the prior conviction allegations, and the trial court found them true as to counts two and three, as well as under section 667.5, subdivision (b).

After less than four hours of deliberation, the jury acquitted Paige of the ammunition possession count, but found him guilty of the other three counts (attempted carjacking, attempted aggravated trespass, and being a felon in possession of a firearm).

The trial court imposed sentence as follows: On the attempted carjacking count, the mid-term of 30 months, plus 10 consecutive years for the personal firearm use (§ 12022.53, subd. (b)), and another consecutive two years for the prior conviction sentence enhancements (§ 667.5, subd. (b)); eight months for the felon in possession of a firearm count, which was stayed under section 654; and a concurrent 180 days for the attempted trespass conviction, for a total of 14 years six months.

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<sup>1</sup> All further section references are to the Penal Code.

Paige filed a notice of appeal. On October 17, 2015, his appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) in which no issues were raised. The brief included a declaration from counsel that she had reviewed the record and had sent Paige a letter advising him that such a brief would be filed and that he could file a supplemental brief if he chose to. That same day, this court sent Paige a letter advising him that a *Wende* brief had been filed and that he had 30 days to submit a brief raising any issues he wanted us to consider. Paige did not file a supplemental brief.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*Smith v. Robbins* (2000) 528 U.S. 259; *Wende, supra*, 25 Cal.3d 436.)

### **DISPOSITION**

The judgment is affirmed.

RUBIN, ACTING P.J.

WE CONCUR:

FLIER, J.

GRIMES, J.