

**NOT TO BE PUBLISHED IN THE OFFICIAL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 This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.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 ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

PABLO LOPEZ,

Defendant and Appellant.

B276507

(Los Angeles County
Super. Ct. No. LA082848)

APPEAL from a judgment of the Superior Court of Los Angeles County, Michael V. Jesic, Judge. Affirmed.

Ken K. Behzadi, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

On February 16, 2016, at approximately 9:10 p.m., Pablo Lopez (Lopez) entered the Home Depot located at 7870 Van Nuys Boulevard. He selected expensive items from the store's shelves, including two paint sprayers and a chainsaw, totaling \$817. A loss prevention agent, Michael Trejo, watched Lopez place the items in a shopping cart and make his way to a cash register near the exit. Lopez hung back for a moment, making it appear he was going to pay, before walking past the registers and leaving the store. Lopez then rode the shopping cart away from the exit, pushing it with one foot. Trejo yelled, " 'Hey, stop' " to Lopez and announced himself as a loss prevention agent.

As Trejo approached Lopez, approximately 20 yards from the exit, Lopez threw a sprayer, which weighed about eight to 12 pounds, at Trejo. Although initially stunned, Trejo was able to catch up with Lopez. Trejo then grabbed Lopez's arm and the shopping cart in order to detain him. With his left arm, Lopez elbowed Trejo, hitting him directly on the neck and chest in an attempt to escape with the stolen items. Trejo swept Lopez's leg to get Lopez on the ground and managed to get his arms around Lopez. Lopez then tried, unsuccessfully, to bite Trejo on the arm. Trejo struggled with Lopez and ultimately placed Lopez in handcuffs. During the struggle, Lopez managed to flip Trejo, causing Trejo to hit his head on the ground, which resulted in an abrasion. Trejo suffered several other injuries as a result of the struggle, including pain to his whole body, numbness in his right arm, and wrist pain.

At trial, a jury convicted Lopez of second degree robbery in violation of Penal Code sections 211 and 212.5, subdivision (c). The trial court sentenced Lopez to the low term of 24 months in prison. Lopez received 156 days of credit for time served and was ordered to pay a \$40 court security fee, a \$30 administrative fee, a \$30 facilities assessment fee, a \$300 parole restitution fine and a \$300 parole restitution fine.

Lopez timely filed a notice of appeal but did not identify any grounds for relief. We have examined the entire record and are satisfied that Lopez's counsel fully complied with his responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441–442.)

DISPOSITION

The judgment is affirmed.

NOT TO BE PUBLISHED.

JOHNSON, J.

We concur:

ROTHSCHILD, P. J.

CHANEY, J.