

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS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 This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.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

In re ANTHONY C., a Person Coming
Under the Juvenile Court Law.

B268135
(Los Angeles County
Super. Ct. No. PJ51529)

THE PEOPLE,

Plaintiff and Respondent,

v.

ANTHONY C.,

Defendant and Appellant.

APPEAL from a judgment of the Superior Court of Los Angeles County, Robert J. Schuit, Judge. Modified and affirmed.

Gerald Peters, under appointment by the Court of Appeal, for Defendant and Appellant.

Kamala D. Harris, Attorney General, Gerald A. Engler, Chief Assistant Attorney General, Lance E. Winters, Senior Assistant Attorney General, Idan Ivri and Analee J. Brodie, Deputy Attorneys General, for Plaintiff and Respondent.

On June 17, 2015, after Anthony C. admitted an allegation he willfully inflicted corporal injury on his girlfriend in violation of Penal Code section 273.5, subdivision (a), the juvenile court declared Anthony a ward of the court pursuant to Welfare and Institutions Code section 602 and ordered him suitably placed with a maximum confinement of four years. The court also issued a juvenile protective order pursuant to Welfare and Institutions Code section 213.5 and a criminal protective order pursuant to Penal Code section 136.2. The court had issued another, similar protective order pursuant to Penal Code section 136.2 on May 13, 2015. Penal Code section 136.2 provides: “Upon a good cause belief that harm to, or intimidation or dissuasion of, a victim or witness has occurred or is reasonably likely to occur, a court with jurisdiction over a criminal matter may issue [certain protective] orders.” Because the juvenile court did not have jurisdiction over a criminal matter, the court could not have issued a criminal protective order under Penal Code section 136.2. (See Welf. & Inst. Code, § 203 [“a proceeding in the juvenile court” shall not “be deemed a criminal proceeding”].) Anthony does not challenge the June 17, 2015 juvenile protective order under Welfare and Institutions Code section 213.5.

The judgment is modified to vacate the May 13, 2015 and June 17, 2015 criminal protective orders issued under Penal Code section 136.2. In all other respects, the judgment is affirmed.

SEGAL, J.

We concur:

ZELON, Acting P. J.

KEENY, J. *

* Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.