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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.

ROBERTO ESCOBAR CHAVEZ,

Defendant and Appellant.

B279780

(Los Angeles County
Super. Ct. No. BA436698)

APPEAL from the judgment of the Superior Court of Los Angeles County. Robert Perry, Judge. Affirmed.

David M. Thompson, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

* * * * *

On May 16, 2016, defendant and appellant Roberto Escobar Chavez was charged by information with two counts of continuous sexual abuse on a child under 14 years of age. (Pen. Code, § 288.5, subd. (a).) It was also specially alleged defendant's offenses were committed against more than one victim. (§ 667.61, subds. (b), (c)(9), (e)(4).)

The charges arose from multiple lewd acts by defendant against his stepdaughter (K.G.) when she was between approximately 9 and 15 years of age, and multiple lewd acts with his daughter (M.C.) when she was between 9 and 15 years of age. Defendant lived with both girls, as well as K.G.'s mother and brother. The wrongful conduct against both minor girls included sexual intercourse.

Defendant pled not guilty to the charges and denied the special allegation. The case proceeded to a jury trial in October 2016.

Both K.G. and M.C. testified at trial about the years of abuse. K.G. testified defendant would sometimes take pictures with his cell phone of her private parts when he penetrated her. The prosecution presented the pretrial videotaped statement of defendant in which he admitted to various lewd acts and intercourse with both minor girls.

Defendant exercised his right not to testify. Defendant did not present any other witnesses. The jury found defendant guilty as charged and found true the special allegation.

The court sentenced defendant, pursuant to Penal Code section 667.61, subdivisions (b) and (e)(4) to an indeterminate term of 30 years to life, consisting of a 15-to-life term on each of the two counts against the two separate minor victims. The court imposed various fines and fees and awarded defendant 661 days

of custody credits (the custody credits were erroneously omitted in the original abstract, but the trial court corrected and filed an amended abstract to so reflect).

Defendant filed a timely notice of appeal. We appointed appellate counsel to represent defendant. Appellate 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 he reviewed the record and sent a letter to defendant explaining his evaluation of the record. Counsel further declared he advised defendant of his right, under *Wende*, to submit a supplemental brief within 30 days, and forwarded copies of the record to defendant. Defendant did not file a supplemental letter brief.

We have examined the entire record of proceedings submitted to this court and are satisfied that appointed counsel fully complied with his responsibilities in assessing whether or not any colorable appellate issues exist. We conclude there are no arguable appellate issues. (*People v. Kelly* (2006) 40 Cal.4th 106; *Wende, supra*, 25 Cal.3d 436.)

DISPOSITION

The judgment of conviction is affirmed.

GRIMES, J.

WE CONCUR:

BIGELOW, P. J.

RUBIN, J.