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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTOPHER DAVID MAZATINI,

Defendant and Appellant.

B258485

(Los Angeles County
Super. Ct. No. VA132776)

THE COURT:*

Appellant Christopher David Mazatini appeals from the judgment following a trial in which a jury found him guilty of felony elder abuse likely to produce great bodily harm (Pen. Code, § 368, subd. (b)(1), count 1); felony assault by means likely to produce great bodily injury (Pen. Code, § 245, subd. (a)(4), count 2); and misdemeanor assault (Pen. Code, § 240, count 3). In a bifurcated trial, the trial court found true the allegations that appellant had one prior “strike” and one prison prior (Pen. Code, §§ 1170.12, subd. (b), 667, subds. (b)–(j), 667.5, subd. (b)). The trial court sentenced appellant to state prison for seven years, consisting of the midterm of three years, doubled, on count 1, plus one year for the prison prior.

*

ASHMANN-GERST, Acting P.J., CHAVEZ, J., HOFFSTADT, J.

We appointed counsel to represent appellant on this appeal. After examination of the record, counsel filed an “Opening Brief” in which no arguable issues were raised. On January 12, 2015, we advised appellant that he had 30 days within which to personally submit any contentions or issues that he wished us to consider. Appellant submitted multiple letters in which he argued that one of the victims lied in court about the extent of her physical injuries and that he was taken advantage of due to his mental health issues and being homeless.

We have reviewed the record and conclude that it provides a factual basis to support the convictions. The record shows the following: On the morning of November 20, 2013, 66-year-old Esther Valdes was walking with her sister in Norwalk when appellant approached them asking for money. They responded that they did not have any money. When appellant continued to follow them, they entered an apartment building. Appellant followed them inside, and used offensive language. He called them “old bitches,” “sons of bitches,” “old black women,” and “fuck you.” Ms. Valdes thought appellant smelled of alcohol.

Appellant started hitting Ms. Valdes on the head about five times. She lost her balance and fell to the ground. Appellant then kicked her in the back. Appellant stopped and ran away when Ms. Valdes’s sister pulled out her phone and announced that she was calling the police.

Ms. Valdes’s sister identified appellant as the attacker without hesitation after he was detained by sheriff’s deputies. Ms. Valdes identified appellant in court. Her sister drove her to the hospital. She had a CT scan and X-ray, which revealed no fractures. Ms. Valdes was discharged with medication for a swollen wrist and back pain. At the time of trial, Ms. Valdes still had pain in her wrist and head.

That same morning, Antonio Sierra Contreras was walking in Norwalk with his wife when appellant came up to him, hit him on the left side of his neck, and challenged him to a fight. Appellant then ran away. The victim identified appellant in a field show-up and in court.

During the patrol car ride to jail, appellant rambled that he hated old people, who had no purpose.

The defense offered no evidence other than Ms. Valdes's medical records.

Neither the record nor appellant's response demonstrate the existence of any cognizable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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