

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS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 This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.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

THE PEOPLE,

Plaintiff and Respondent,

v.

JUAN MARTINEZ VELEZ,

Defendant and Appellant.

B239981

(Los Angeles County
Super. Ct. No. TA113392)

APPEAL from a judgment of the Superior Court of Los Angeles County, Kevin L. Brown, Judge. Dismissed.

Suzan E. Hier, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance on behalf of Plaintiff and Respondent.

Defendant, Juan Martinez Velez, purports to appeal from his February 1, 2012 post-judgment order denying his motion to set aside his nolo contendere plea. We noted that the post-judgment February 1, 2012 order may not be appealable. We then issued an order to show cause re: possible dismissal of the appeal. We have a duty to raise issues concerning our jurisdiction on our own motion. (*Jennings v. Marralle* (1994) 8 Cal.4th 121, 126; *Olson v. Cory* (1983) 35 Cal.3d 390, 398.) The post-judgment February 1, 2012 order is not be appealable. (*People v. Totari* (2002) 28 Cal.4th 876, 886; *People v. Cantrell* (1961) 197 Cal.App.2d 40, 43; *People v. Bowles* (1933) 135 Cal.App. 514, 516; see *People v. Thomas* (1959) 52 Cal.2d 521, 527; 6 Witkin & Epstein, Cal. Criminal Law (2011 Supp.) Criminal Appeals, § 55A, p. 80.)

The appeal is dismissed.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

TURNER, P. J.

We concur:

KRIEGLER, J.

FERNS, J.*

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