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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

BRETT D. CLOWERS,

Defendant and Appellant.

B264889

(Los Angeles County
Super. Ct. No. MA055712)

APPEAL from a judgment of the Superior Court of Los Angeles County. Daviann L. Mitchell, Judge. Affirmed.

George W. Taylor, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

In February of 2012, Brett Clowers pleaded no contest to second degree robbery. He did not appear for sentencing, but was picked up on a bench warrant less than one month later. The court imposed a five-year sentence, but suspended execution and placed defendant on formal probation for three years. According to the probation department, defendant never reported to probation, made no payments toward his financial obligations, and did not perform any of the community labor that was a condition of his probation. The trial court set the matter for a probation violation hearing to be conducted August 31, 2012, and notified defendant. Defendant did not appear at that hearing. The court summarily revoked his probation and issued a bench warrant.

In 2013 defendant was convicted in San Diego, in two separate cases, of first degree burglary and a violation of Health and Safety Code section 11350, subdivision (a). He was sentenced to two years in prison and, upon completion of that term, was returned to Los Angeles for the pending probation violation in this case.

The court conducted a contested violation hearing on June 11, 2015. It found defendant had violated his probation by failing to obey the law, as shown by the two convictions in San Diego, failing to report to probation, and failing to “do anything that was required.” ~ (RT B-11-12) ~ The court declined to reinstate defendant’s probation and ordered execution of the previously imposed sentence. The court also denied defendant’s request for custody credits for time he spent in custody in relation to his San Diego cases.

Defendant appealed and we appointed counsel to represent him on appeal. After examination of the record, counsel filed an opening brief raising no issues and asking this court to independently review the record. On November 18, 2015, we advised defendant he had 30 days within which to personally submit any contentions or issues he wished us to consider. To date, we have received no response.

We have examined the entire record and are satisfied that defendant’s attorney has 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.)

DISPOSITION

The judgment is affirmed.

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LUI, J.

We concur:

ROTHSCHILD, P. J.

CHANEY, J.