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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

TERRELL COFFER,

Defendant and Appellant.

2d Crim. No. B259448
(Super. Ct. No. 14PT-00468)
(San Luis Obispo County)

Terrell Coffe appeals the order determining him to be a mentally disordered offender (MDO) and committing him to the Department of Mental Health (now State Department of State Hospitals) for treatment. (Pen. Code, § 2962 et seq.)¹ We appointed counsel to represent appellant in this appeal. After examining the record, counsel filed an opening brief in which no issues were raised. On December 29, 2014, we advised appellant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. (*People v. Taylor* (2008) 160 Cal.App.4th 304.) On January 12, 2015, we received a supplemental brief from appellant stating, among other things, that appellant is in clinical remission, that he is not violent and has voluntarily followed his treatment plan, and that he does not pose a substantial danger to others.

¹ All statutory references are to the Penal Code unless otherwise stated.

We conclude that the expert testimony of Doctor Timothy Nastasi constitutes substantial evidence supporting the trial court's findings that appellant meets the MDO criteria. (*People v. Labelle* (2010) 190 Cal.App.4th 149, 151.) Doctor Nastasi testified that appellant suffers from schizophrenia, manifested by auditory hallucinations, command-type hallucinations, and delusional ideations. Appellant believes he must kill demons and that people are aliens and attaching different body parts onto him. Appellant's commitment offenses are attempted murder, in which he stabbed his wife twice in the chest, and battery on emergency personnel in prison. In the second offense, appellant spit on a psychiatrist, knocked him to the ground, and head-butted him. The doctor noted that appellant has a significant history of violence which includes stabbing his stepmother to death (1993), stabbing his wife (2001), tying up a cell mate in prison (2001), the 2004 assault on a psychiatrist, and violent incidents in 2007 and 2012.

Doctor Nastasi testified that appellant suffered severe delusional ideations and auditory hallucinations from February 2014 to July 2014, was subject to an involuntary medication order (see *Keyhea v. Rushen* (1986) 178 Cal.App.3d 526, 542; *In re Qawi* (2004) 32 Cal.4th 1, 27), and was not in remission. Doctor Nastasi opined that appellant met all the MDO criteria and represents a substantial danger of physical harm to others by reason of his severe mental disorder.

This testimony constitutes substantial evidence that appellant meets the statutory criteria for commitment as an MDO. (§ 2962.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P.J.

PERREN, J.

John A. Trice, Judge

Superior Court County of San Luis Obispo

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

No appearance for Respondent.