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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.

DEREK EUGENE EICHLER,

Defendant and Appellant.

B276187

(Los Angeles County
Super. Ct. No. NA102271)

THE COURT:*

Derek Eugene Eichler (Eichler) was charged with felony grand theft (Pen. Code, § 487, subd. (a); count 2),¹ felony vandalism (§ 594, subd. (a); count 3), and misdemeanor vandalism (§ 594, subd. (a); count 4). The information alleged that Eichler suffered a prior strike conviction pursuant to

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

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

section 667, subdivision (d) and section 1170.12, subdivision (b); a prior serious felony conviction pursuant to section 667, subdivision (a)(1); and two prison priors pursuant to section 667.5, subdivision (b).

During trial, Eichler admitted the priors. A jury convicted him on counts 2, 3 and 4. The trial court sentenced Eichler to seven years in state prison as follows: on count 2, 16 months doubled due to the prior strike conviction plus two years based on the section 667.5, subdivision (b) enhancements; on count 3, a consecutive 16 months; and on count 4, a consecutive 12 months in state prison.

Eichler has now appealed. His appointed counsel filed a no merit brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441 (*Wende*) raising no issues for us to consider. On January 30, 2017, we notified Eichler of the no merit brief and gave him leave to file, within 30 days, a brief or letter setting forth any arguments supporting his appeal. He did not file a letter or brief within the prescribed time. Upon review of counsel's no merit *Wende* brief and the record, we conclude that there are no arguable issues, and Eichler is not entitled to appellate relief.

We are satisfied that Eichler's counsel complied with her responsibilities. We conclude that Eichler has received adequate and effective appellate review of the judgment entered against him by virtue of counsel's compliance with the *Wende* procedure, and our review of the record. (*Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 123–124.)

The judgment is affirmed.

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