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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.

DAVID VASQUEZ,

Defendant and Appellant.

B276734

(Los Angeles County
Super. Ct. No. TA138656)

THE COURT:*

Defendant and appellant David Vasquez (defendant) appeals his judgment of conviction of assault with a deadly weapon. His appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), raising no issues. On February 15, 2017, we notified defendant of his counsel's brief and gave him leave to file, within 30 days, his own brief or letter stating any grounds or argument he might wish to have considered. That time has elapsed, and defendant has submitted

* CHAVEZ, Acting P.J., HOFFSTADT, J., GOODMAN, J.†

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

no brief or letter. We have reviewed the entire record, and finding no arguable issues, affirm the judgment.

Defendant was charged with one count of assault with a deadly weapon in violation of Penal Code section 245, subdivision (a)(1). A jury found defendant guilty as charged, and on August 8, 2016, the trial court sentenced him to the low term of two years in prison. The court awarded a total of 540 days of presentence custody credit, comprised of 270 actual days and 270 days of conduct credit, and ordered defendant to pay mandatory fines and fees. Defendant filed a timely notice of appeal from the judgment.

Evidence at trial showed that on November 13, 2015, defendant was seen inside and outside a business on Long Beach Boulevard, threatening people with a knife. As David Reyes emerged from the business, defendant faced him from about five feet away, and said something like, “This is not a fistfight,” and thrust the knife toward Reyes’s face about three times. When several Los Angeles Sheriff’s Deputies arrived and saw defendant holding a folding pocket knife, they took him into custody without incident.

We have examined the entire record and are satisfied that defendant’s appellate counsel has fully complied with his responsibilities and that no arguable issue exists. We conclude that defendant has, by virtue of counsel’s compliance with the *Wende* procedure and our review of the record, received adequate and effective appellate review of the judgment entered against him in this case. (*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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