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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.

MOSE MITCHELL, JR.,

Defendant and Appellant.

2d Crim. No. B278702  
(Super. Ct. No. BA381690)  
(Los Angeles County)

Mose Mitchell, Jr., appeals a judgment following the trial court's denial of his petition for recall of sentence. (Pen. Code, § 1170.18, subd. (a).)<sup>1</sup> We affirm.

In October 2011, Mitchell pled guilty to one count of assault with force likely to cause great bodily injury (§ 245, subd. (a)(1)) and one count of dissuading a witness (§ 136.1, subd. (c)). The trial court sentenced him to 23 years in state prison. In August 2016, Mitchell petitioned to have his sentence recalled

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<sup>1</sup> All further statutory references are to the Penal Code.

pursuant to section 1170.18, subdivision (a). The trial court denied the petition, finding Mitchell ineligible for relief.

We appointed counsel to represent Mitchell in this appeal. After counsel's examination of the record, he filed an opening brief that raised no arguable issues. On February 10, 2017, we advised Mitchell by mail that he had 30 days within which to submit any contentions or issues that he wished to raise on appeal. We have not received a response.

We have reviewed the entire record and are satisfied that Mitchell's attorney fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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TANGEMAN, J.

We concur:

GILBERT, P. J.

PERREN, J.

Ronald H. Rose and Craig J. Mitchell, Judges

Superior Court County of Los Angeles

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Stephen C. Borgo, under appointment by the Court of  
Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.