

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

ARMAN WERDIAN,

Defendant and Appellant.

B275396

(Los Angeles County
Super. Ct. No. LA082466)

APPEAL from a judgment of the Superior Court of Los Angeles County. Joseph Brandolino, Judge. Affirmed.

Lisa M. Sciandra, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

The People charged Arman Werdian in an information with two counts of second degree robbery. The information specially alleged as to the second robbery count that Werdian had committed the offense while released on bail. Werdian pleaded not guilty and denied the special allegation.

According to the evidence presented at trial, on December 22, 2015, Werdian left a department store without paying for some merchandise. Outside the store, he was approached by Diana Osorio, a loss prevention officer. Werdian refused to return the merchandise, and he struggled with Osorio. Werdian struck Osorio twice in the chest, bruising her. With the help of a colleague, Osorio subdued Werdian. The police took Werdian into custody; the merchandise was recovered.

Following his release on bail, Werdian entered a department store on February 11, 2016 and left without paying for some merchandise. Werdian bit the arm of Makal Kitchen, a loss prevention officer, who attempted to detain Werdian; the bite did not penetrate Kitchen's skin. Kitchen eventually subdued Werdian, returned him to the store and notified police. The merchandise was recovered. Werdian told Kitchen he had no money and was "trying to sell" the merchandise.

The jury convicted Werdian of having committed second degree robbery (Pen. Code, §§ 211, 212.5, subd. (c)) on December 22, 2015, but found him guilty of committing of petty theft (Pen. Code, § 484, subd. (a)) a lesser included offense of robbery, on February 11, 2016.

At sentencing, the trial court imposed the lower term of two years in state prison for second degree robbery and a consecutive term of 180 days in county jail for petty theft.

Werdian filed a timely notice of appeal. We appointed counsel to represent Werdian on appeal. After examination of the record counsel filed an opening brief in which no issues were raised. On January 9, 2017, we advised Werdian he had 30 days within which to personally submit any contentions or issues he wished us to consider. We have received no response.

We have examined the entire record and are satisfied Werdian's appellate attorney has fully complied with the responsibilities of counsel and no arguable issue exists. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 118-119; *People v. Wende* (1979) 25 Cal.3d 436, 441-442.)

DISPOSITION

The judgment is affirmed.

ZELON, J.

We concur:

PERLUSS, P. J.

SEGAL, J.