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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

AARON VICTOR STATHUM,

Defendant and Appellant.

B243502

(Los Angeles County  
Super. Ct. No. VA119137

APPEAL from a judgment of the Superior Court of Los Angeles.

Michael L. Shuur, Commissioner. Affirmed.

Jonathan B. Steiner and Richard B. Lennon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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On March 23, 2011, defendant and appellant Aaron Victor Stathum and a codefendant robbed the manager of a recycling company of \$120,000. Stathum and his codefendant were charged with second degree robbery (Pen. Code, § 211) with an allegation that the amount taken exceeded \$65,000 (Pen. Code, § 12022.6, subd. (a)(1)). A prior conviction in 1996 for robbery was charged as a prior strike and a prior serious felony conviction. (Pen. Code, §§ 667, subd. (a)(1), 1170.12.)

On May 1, 2012, pursuant to a waiver of his trial rights, defendant entered a guilty plea to the robbery charge and admitted the Penal Code section 12022.6, subdivision (a)(1) allegation and prior conviction allegations. At sentencing on June 26, 2012, the court struck the prior strike and the Penal Code section 12022.6, subdivision (a)(1) allegations and imposed the three-year midterm for the robbery and a five-year enhancement for the prior serious felony conviction for an aggregate sentence of state prison for eight years.

Defendant filed a timely notice of appeal from the sentence and postplea matters and sought issuance of a certificate of probable cause to challenge his plea; the trial court denied the request for a certificate.

We appointed counsel to represent defendant on appeal. After examination of the record, appointed counsel filed an opening brief raising no issues and asking this court to independently review the record. (*People v. Wende* (1979) 25 Cal.3d 436, 441.) On November 1, 2012, we sent letters to defendant and appointed counsel, directing counsel to immediately forward the appellate record to defendant and advising defendant that he had 30 days within which to personally submit any contentions or issues he wished us to consider. To date, defendant has not responded.

Defendant's guilty plea and the trial court's denial of a certificate of probable cause limit the potential scope of defendant's appeal to "[g]rounds that arose after entry of the plea and do not affect the plea's validity" or "[t]he denial of a motion to suppress evidence under Penal Code section 1538.5." (Cal. Rules of Court, rule 8.304(b); Pen. Code, § 1237.5.) We have examined the entire record and have found that no arguable

issues of any sort exist, let alone issues cognizable without a certificate of probable cause. We are satisfied that defendant's appointed counsel has fully complied with his responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 109-110; *People v. Wende*, *supra*, 25 Cal.3d at p. 441.)

**DISPOSITION**

The judgment is affirmed.

NOT TO BE PUBLISHED.

CHANEY, J.

We concur:

MALLANO, P. J.

ROTHSCHILD, J.