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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.

DALE STEPHEN
RODABAUGH,

Defendant and Appellant.

2d Crim. No. B290358
(Super. Ct. No. CR21412)
(Ventura County)

Dale Stephen Rodabaugh appeals from an order denying a petition to reduce his felony conviction to a misdemeanor under Penal Code¹ section 1170.18 (Proposition 47).

In 1986, Rodabaugh pled guilty to forgery of a credit card application (§ 470). The trial court suspended imposition of sentence and placed Rodabaugh on probation.

¹ Further unspecified statutory references are to the Penal Code.

In March 2018, Rodabaugh filed an application to have the forgery charge reduced to a misdemeanor pursuant to Proposition 47. The trial court denied the petition finding that (1) he did not show that the value of the credit card was \$950 or less; (2) he posed an unreasonable risk to public safety; and (3) forgery of a credit card application does not fall within Proposition 47's provisions.

We appointed counsel to represent Rodabaugh in this appeal. After counsel's examination of the record, he filed an opening brief raising no arguable issues. On September 18, 2018, we advised Rodabaugh that he had 30 days within which to personally submit any contention or issues that he wished us to consider. We have not received a response.

We have reviewed the entire record and are satisfied that Rodabaugh's counsel has 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.

F. Dino Innumerable, Judge

Superior Court County of Ventura

Richard L. Fitzer, under appointment by the Court of
Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.