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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

DARRELL L. DUNCAN,

Defendant and Appellant.

B244601

(Los Angeles County
Super. Ct. No. MA055073)

APPEAL from a judgment of the Superior Court of Los Angeles County, Kathleen Blanchard, Judge. Affirmed.

Law Offices of James Koester and James Koester, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant Darrell L. Duncan appeals from the judgment entered following his no contest plea to possession of marijuana for sale and his admission of a prior serious felony conviction within the meaning of the “Three Strikes” law. (Health & Saf. Code, § 11359, Pen. Code, §§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d).) We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

The Los Angeles County District Attorney’s Office filed an information charging defendant with possession of marijuana for sale and alleging that he had suffered a prior strike conviction and had served a prior prison term.¹ (Pen. Code, § 667.5, subd. (b).) On July 19, 2012, defendant filed a *Pitchess* motion.² The court held an in camera hearing, examined the complaints in the deputy’s personnel file, and determined that nothing was discoverable. On September 7, 2012, defendant pled no contest to the marijuana charge and admitted the strike prior. He was sentenced to 32 months in state prison (the low term of 16 months doubled). On October 15, defendant filed a notice of appeal, based on the sentence or other matters occurring after the plea. He did not receive a certificate of probable cause.

DISCUSSION

After reviewing the record on appeal and the court file for defendant’s prior strike, defendant’s appointed appellate counsel filed a brief raising no issues and asked this court to independently review the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436. On April 11, 2013, we sent a letter to defendant advising him of the nature of the

¹ It was also alleged that due to defendant’s prior serious felony conviction, any executed sentence had to be served in state prison pursuant to Penal Code section 1170, subdivision (h).

² *Pitchess v. Superior Court* (1974) 11 Cal.3d 531.

brief that had been filed and informing him that he had 30 days within which to submit any issues that he wished us to consider. We have received no response.

We have reviewed the record and are satisfied that no arguable issues exist. Defendant has received effective appellate review of the judgment entered against him. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-279; *People v. Kelly* (2006) 40 Cal.4th 106, 123-124.)

DISPOSITION

The judgment is affirmed.

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SUZUKAWA, J.

We concur:

EPSTEIN, P. J.

WILLHITE, J.