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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

In re CRISTIAN R., a Person Coming  
Under the Juvenile Court Law.

B239412  
(Los Angeles County  
Super. Ct. No. JJ19221)

THE PEOPLE,

Plaintiff and Respondent,

v.

CRISTIAN R.,

Defendant and Appellant.

THE COURT:\*

Minor Cristian R. appeals from the order declaring him a ward of the court (Welf. & Inst. Code, § 602) by reason of the juvenile court's finding that minor committed two misdemeanor counts of violating a gang injunction under Penal Code section 166, subdivisions (a)(4) and (a)(9)<sup>1</sup> and two counts of misdemeanor vandalism under section

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\* BOREN, P. J., ASHMANN-GERST, J., CHAVEZ, J.

<sup>1</sup> All further references to statutes are to the Penal Code unless stated otherwise.

594, subdivision (a). The juvenile court placed minor at home on probation under terms and conditions of probation.

We appointed counsel to represent minor on this appeal. After examination of the record, counsel filed an “Opening Brief” containing an acknowledgment that she had been unable to find any arguable issues. On June 26, 2012, we advised minor that he had 30 days within which to personally submit any contentions or issues that he wished us to consider. No response has been received to date.

At minor’s February 21, 2012 adjudication hearing, Lieutenant Neal Mongan of the City of Huntington Park police department testified that a gang injunction against members of the Florencia street gang was issued on September 4, 2009. Lieutenant Mongan served minor with the injunction on December 15, 2009.

A petition was filed charging minor with an August 20, 2011 violation of the criminal street gang injunction on October 19, 2011, and the petition was refiled on January 11, 2012. On August 20, 2011, Detective Giovanni Hernandez from the Huntington Park police gang unit approached minor, whom he had met before, within the injunction zone and asked if he could speak to minor. During their conversation, Detective Hernandez asked minor if he possessed anything illegal, and minor replied that he had “weed.” Minor agreed that Detective Hernandez could “grab the marijuana,” and the detective found it in minor’s front pocket. Detective Hernandez verified with dispatch that minor had been served with the injunction, and he placed minor under arrest.<sup>2</sup> Minor was informed of his *Miranda* rights<sup>3</sup> and asked if he was a member of the Florencia 13 criminal street gang. Minor admitted membership in the “Malidditos” clique of the gang and acknowledged that he had been served with the injunction. The substance minor possessed was tested and found to be .54 grams of plant material

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<sup>2</sup> The injunction prohibited selling, possessing, or using any controlled substance or related paraphernalia.

<sup>3</sup> *Miranda v. Arizona* (1966) 384 U.S. 436 (*Miranda*).

containing marijuana. The juvenile court found that the encounter and search of minor that occurred on August 20, 2011, were consensual.

A second petition was filed on December 14, 2011, charging minor with two counts of vandalism and one count of disobeying a court order (the gang injunction). Officer Saul Duran of the Huntington Park police department responded to a call of possible vandalism by three persons on January 31, 2011. Minor, his brother, and another person were seen hiding and were subsequently detained. There was fresh graffiti on the walls of two adjacent properties where the suspects had been standing, and minor and his brother had the same color of paint on their fingers. Officer Duran arrested minor for vandalism. The graffiti was gang related.

We have examined the entire record and are satisfied that minor's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The order under review is affirmed.

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