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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

EDGAR LAVAGNINO,

Defendant and Appellant.

B287094

(Los Angeles County
Super. Ct. No. LA087355)

APPEAL from a judgment of the Superior Court of Los Angeles County. Alan Schneider, Judge. Affirmed.

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

No appearance for Plaintiff and Respondent.

* * * * *

Defendant Edgar Lavagnino was charged by information with one count of possession of personal identifying information with a prior conviction (Pen. Code, § 530.5, subd. (c)(2)). Following the preliminary hearing and denial of his motion to suppress under section 1538.5, defendant withdrew his guilty plea, pled no contest, and admitted his prior conviction under section 530.5, subdivision (c)(3). Defendant was sentenced to the low term of 16 months in county jail.

Defendant did not obtain a certificate of probable cause, but did file a timely notice of appeal challenging the denial of his motion to suppress. We appointed appellate counsel to represent him. Appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) in which no issues were raised. Defendant did not file any supplemental brief with this court.

The parties stipulated that there was no search or arrest warrant in this case. Los Angeles Police Officer Gustavo Jauregui testified at the hearing that defendant was a passenger in a truck that failed to stop at a stop sign. The truck had been reported stolen. Officer Jauregui initiated a traffic stop, and defendant was arrested. When defendant was searched after his arrest, police found a credit card belonging to someone else. The card had gone missing from the mail, and she did not give defendant permission to possess the card.

We have examined the entire record, consisting of one volume of a clerk's transcript and one volume of a reporter's transcript, and are satisfied that appointed counsel fully complied with his responsibilities and that no arguable appellate issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106; *Wende, supra*, 25 Cal.3d 436.)

DISPOSITION

The judgment is affirmed.

GRIMES, J.

WE CONCUR:

RUBIN, Acting P. J.

ROGAN, J.*

* Judge of the Orange Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.