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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

In re S.M., a Person Coming
Under the Juvenile Court Law.

2d Juv. No. B283438
(Super. Ct. No. YJ38960)
(Los Angeles County)

THE PEOPLE,

Plaintiff and Respondent,

v.

S.M.,

Defendant and Appellant.

In an amended petition appellant minor S.M. was charged with second degree robbery (Pen. Code,¹ § 211; count 1). It was further alleged that S.M. personally used a handgun within the meaning of section 12022.53, subdivision (b), causing this offense to be both a serious felony (§ 1192.7, subd. (c)(8)) and a violent felony (§ 667.5, subd. (c)(8)). He was also charged with

¹ Unspecified statutory references are to the Penal Code.

minor in possession of a firearm (§ 29610; count 2). After a hearing, all the allegations were found to be true, and the petition was sustained with count 1 determined to be a strike. This appeal follows.

The victim testified that another person grabbed him in a chokehold from behind while he was walking from his car in a parking structure at night. He said that S.M. approached him and pointed a gun at him while two other young men punched him and removed cash and credit cards from his wallet.

After his arrest, S.M. was informed of his rights and waived them. He admitted to being present but said someone else used a gun while one of his friends started choking the victim; he tried to stop it.

We appointed counsel to represent S.M. in this appeal. After counsel examined the record, she filed an opening brief that raises no arguable issues. On January 18, 2018, we advised S.M. by mail that he had 30 days within which to submit any contentions or issues he wished us to consider. We have not received a response.

We have reviewed the entire record and are satisfied that S.M.'s attorney has fully complied with her 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.

YEGAN, J.

Christopher J. Smith, Commissioner
Superior Court County of Los Angeles

Esther R. Sorkin, under appointment by the Court of
Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.