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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

PEDRO ANTONIO RIVERA,

Defendant and Appellant.

B296193

(Los Angeles County  
Super. Ct. No. GA087533)

APPEAL from an order of the Superior Court of Los Angeles County, Teri Schwartz, Judge. Affirmed.

Janet Uson, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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In 2013, Pedro Antonio Rivera was convicted, by plea, on two counts of assault with a deadly weapon (Pen. Code, § 245, subd. (a)(1)). The trial court imposed multiple sentence enhancements, including one for a prior serious felony conviction (Pen. Code, § 667, subd. (a)(1)).

In 2019, Rivera filed a motion for resentencing under Senate Bill No. 1393, which eliminates the prior prohibition on striking a five-year enhancement under Penal Code section 667, subdivision (a). Rivera sought a resentencing hearing, asking the trial court to consider whether to strike his five-year prior serious felony enhancement. The court denied the motion, and Rivera filed a timely notice of appeal.

## DISCUSSION

We appointed counsel to represent Rivera in this appeal. After reviewing the record, counsel filed a brief raising no issues. On June 21, 2019, we gave Rivera notice he had 30 days to submit a brief or letter raising any grounds of appeal, contentions, or arguments he wanted the court to consider. We have not received a response.

We have examined the entire record and are satisfied that appellate counsel for Rivera has complied with her responsibilities and that there are no arguable issues. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 118-119; *People v. Wende* (1979) 25 Cal.3d 436, 441-442.) Senate Bill No. 1393 does not apply to convictions that were final before the effective date of the statute, January 1, 2019. (*People v. Garcia* (2018) 28 Cal.App.5th 961, 971-972.) Rivera's conviction had been final for years; he was therefore not entitled to resentencing.

**DISPOSITION**

The order is affirmed.

ZELON, Acting P. J.

We concur:

SEGAL, J.

FEUER, J.