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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.

JULIAN DAVID JANUARY,

Defendant and Appellant.

B283815

(Los Angeles County
Super. Ct. No. PA088627)

APPEAL from a judgment of the Superior Court of
Los Angeles County, David Walgren, Judge. Affirmed.

Matthew Alger, under appointment by the Court of Appeal,
for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

Defendant Julian David January pled no contest to one count of stalking and was sentenced to six years in prison. He appealed. We have conducted an independent examination of the entire record pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), and conclude that no arguable issues exist. We therefore affirm.

FACTUAL AND PROCEDURAL BACKGROUND

The Los Angeles County District Attorney filed a felony complaint charging defendant with one count of burglary (Pen. Code, § 459,¹ count 1, a felony), and one count of stalking (§ 646.9, subd. (b), count 2, a felony). The complaint also alleged that defendant had a strike prior (§§ 667, subds. (b)-(j), 1170.12) and prison priors (§ 667.5, subd. (b)).

The probation report states that defendant's ex-girlfriend and mother of his children had an active restraining order against defendant. One afternoon the ex-girlfriend arrived at her home to find defendant lying on her bed. She fled and called police, and defendant was arrested. Defendant had also called and texted the victim numerous times in violation of the restraining order.

Defendant initially pled not guilty. Pursuant to a plea deal entered before the preliminary hearing, defendant later pled no contest to count 2, and admitted his prior convictions; count 1 was dismissed. He was sentenced to six years in prison, calculated as the midterm of three years, doubled based on the strike prior. Defendant filed a notice of appeal, and his request for a certificate of probable cause was denied.

¹ All further statutory references are to the Penal Code unless otherwise indicated.

On appeal, defendant's appointed counsel filed a brief requesting that we independently review the record for error. (*Wende, supra*, 25 Cal.3d 436, 441.) We directed counsel to send the record and a copy of the brief to defendant, and notified defendant of his right to respond within 30 days. We received no response.

WENDE REVIEW

We have examined the entire record, and are satisfied no arguable issues exist in the appeal before us. (*Smith v. Robbins* (2000) 528 U.S. 259, 278; *People v. Kelly* (2006) 40 Cal.4th 106, 110; *Wende, supra*, 25 Cal.3d at p. 443.)

DISPOSITION

The judgment is affirmed.

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COLLINS, J.

We concur:

WILLHITE, Acting P. J.

MANELLA, J.