

**NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS**

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSEPH CASERES,

Defendant and Appellant.

2d Crim. No. B254288  
(Super. Ct. No. NA094572-01)  
(Los Angeles County)

Joseph Caseres appeals judgment after conviction by jury of second degree robbery. (Pen. Code, § 211.)<sup>1</sup> The jury found true allegations that Caseres used and discharged a firearm. (§ 12022.53, subs. (b) & (c).) Caseres admitted prior convictions for making criminal threats and being a felon in possession of a firearm. (§ 422, former § 12021, subd. (a)(1).) The trial court sentenced him to 36 years in state prison.

On December 31, 2012, Caseres took a chain necklace, watch, and earrings from Ramiro Suarez. He fired a gun near Suarez's ankle, grazing it. Suarez's sister saw the incident. She and Suarez recognized and identified Caseres.

Before trial, Suarez told a detective he did not want to cooperate because he had been threatened. At trial, Suarez said he could not identify the robber because he was intoxicated and he focused on the gun. He testified that he was not threatened. After the prosecution rested, the trial court denied Caseres's motion for judgment of acquittal.

---

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

We appointed counsel to represent Caseres in this appeal. After counsel's examination of the record, she filed an opening brief raising no issues.

On October 6, 2014, we advised Caseres that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. We have not received a response.

We have reviewed the entire record and are satisfied that Caseres'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.

NOT TO BE PUBLISHED.

GILBERT, P.J.

We concur:

YEGAN, J.

PERREN, J.

Tomson T. Ong, Judge  
Superior Court County of Los Angeles

---

Heather E. Shallenberger, under appointment by the Court of Appeal, for  
Defendant and Appellant.

No appearance for Plaintiff and Respondent.