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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.

ABEL SOSA,

Defendant and Appellant.

B281600

(Los Angeles County  
Super. Ct. No. BA451462)

APPEAL from a judgment of the Superior Court of Los Angeles County, Carol H. Rehm, Jr., Judge. Affirmed.

FredRiccio McCurry, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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Abel Sosa was granted three years probation following his conviction for robbery. He filed a timely notice of appeal. His court-appointed appellate counsel notified this court pursuant to *People v. Wende* (1979) 25 Cal.3d 436 that he was unable to find any arguable issues to assert on appeal. We affirm the judgment.

## **FACTUAL AND PROCEDURAL BACKGROUND**

Sosa removed a six-pack of beer from a gas station convenience store and left without paying for it. Jose Luna, a store clerk, followed Sosa outside. Sosa placed the beer on the ground, screamed and gestured for Luna to go away. When Luna reached down to retrieve the beer, Sosa punched him in the face. The police were called, and the officers found Sosa in possession of the beer.

Sosa was charged in an information with second degree robbery (Pen. Code, § 211). He pleaded not guilty.

A jury convicted Sosa as charged. The trial court suspended imposition of sentence and placed Sosa on three years probation on the condition he serve 284 days in county jail with credit for time served. Sosa filed a timely notice of appeal.

## **DISCUSSION**

We appointed counsel to represent Sosa on appeal. After examination of the record counsel filed an opening brief in which no issues were raised.

On October 16, 2017, we advised Sosa he had 30 days within which to submit any contentions or issues he wished us to consider. On October 24, the notice was returned, the envelope

marked, “Return To Sender. Attempted – Not Known. Unable To Forward.”<sup>1</sup>

We have examined the entire record and are satisfied Sosa’s appellate attorney has fully complied with the responsibilities of counsel and no arguable issue exists. (*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, supra*, 25 Cal.3d at pp. 441-442.)

## DISPOSITION

The judgment is affirmed

BENSINGER, J.\*

We concur:

ZELON, Acting P. J.

SEGAL, J.

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<sup>1</sup> When we appointed appellate counsel for Sosa, we directed Sosa “to keep the court informed of his/her mailing address at all times. If you move, you MUST notify the clerk of this court immediately; otherwise you may not receive important notices concerning your appeal.” Sosa has not provided any information regarding his current address since his apparent release from the Los Angeles County Jail.

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