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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

MARCUS COOMBS,

Defendant and Appellant.

B256576

(Los Angeles County
Super. Ct. No. BA411439)

APPEAL from a judgment of the Superior Court of Los Angeles County.
Robert J. Perry, Judge. Affirmed.

Mark S. Devore, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Marcus Coombs appeals from a judgment which sentenced him to 11 years in state prison for second degree robbery. We affirm the judgment.

FACTS

On May 16, 2013, Allison Hughes was robbed as she walked to her car from Iguana Vintage Clothing on Hollywood Boulevard and Vine Street. Both Allison¹ and her 20-year-old son, Nicholas, worked there. At 4:30 p.m., they decided to leave the store for their lunch break. On the street, a man commented to Allison, “nice jacket.” She thanked him and continued to the employee parking lot with Nicholas, which was behind the store and down an alley. As she approached her car with her keys in her hand and a clutch-style purse under her arm, she heard Nicholas yell, “Look out.” Allison then “felt like someone was just jumping on to [her] back . . .” He grabbed her purse, pushed her, and ran down the alley. Nicholas chased after him towards Hollywood Boulevard, yelling for people to “stop that guy in the red shirt.” Two other people joined Nicholas in the chase. One of them was able to grab the assailant, who stumbled, dropped the purse, and continued to run.

Officer Bryan Nguyen from the Los Angeles Police Department (LAPD) was conducting a traffic stop nearby when he heard yelling about a robbery. He noticed a man wearing a red long-sleeved shirt running on Hollywood Boulevard. Stephanie Daniels was working that day on the fifth floor of a building located on Hollywood and Vine when she heard a woman screaming. She looked out a window and saw a man clutching something in his hand running down Hollywood Boulevard. She believed it could have been a purse. When she left work that day, she observed Coombs sitting in the back of a patrol car. She recognized him by his red shirt and told the police officers what she saw.

LAPD officer Howard Hwang received a radio call about a robbery suspect described as a white man wearing a red shirt while on patrol with his partner in the area. They noticed a suspect matching that description walking briskly on Selma Street, which

¹ For ease of reference, we will refer to the Hughes by their first names.

is one block down Vine Street from Hollywood Boulevard. They pulled up next to him in a marked patrol car and asked him to stop after identifying themselves. He began to run and hopped a fence into an alley. Officer Hwang followed him on foot while his partner pulled the patrol car to the other end of the alley, cutting him off. He resisted and the officers had to wrestle him into submission. Coombs was taken into custody and identified himself as Michael Tena to the police. The police later discovered his true name to be Marcus Coombs, but he often used Michael Tena as an alias. Both Nicholas and Allison identified Coombs as the assailant 30 minutes after the incident. They also recognized him as the man who complimented Allison on her jacket when they exited the store. Allison and Nicholas identified Coombs at trial.

In an information dated August 28, 2013, Coombs was charged with second degree robbery in violation of Penal Code² section 211 (count 1) with sentencing enhancement allegations. It was further alleged pursuant to section 1170, subdivision (h)(3), section 667, subdivision (d), section 1170.12, subdivision (b), and section 667, subdivision (a)(1) that Coombs suffered a prior strike under section 211 in 2010. The 2010 robbery conviction, along with a 2009 conviction under the Vehicle Code, was also alleged to be a “prison prior” pursuant to section 667.5, subdivision (b). Coombs was also charged with resisting a peace officer in violation of section 148, subdivision (a)(1) and giving false information in violation of section 148.9, subdivision (a). These latter two counts were dismissed by the prosecutor prior to trial.

Trial on the priors was bifurcated from trial on the People’s case-in-chief, which began on April 10, 2014. The People presented evidence of the events as described above. The defense rested without presenting any evidence. The jury returned a guilty verdict on the sole count of second degree robbery on April 11, 2014. Coombs admitted having suffered both alleged prior convictions. He was sentenced to a total of 11 years in state prison, comprised of the mid-term of six years plus five years for the prior

² All further section references are to the Penal Code unless otherwise specified.

conviction under section 667, subdivision (a)(1). Coombs timely noticed his appeal on May 27, 2014.

DISCUSSION

We appointed counsel to represent Coombs on appeal. Appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, requesting independent review of the record on appeal for arguable issues. We notified Coombs by letter that he could submit any claim, argument or issues that he wished our court to review. We have received no response from Coombs. We have independently reviewed the record on appeal, and are satisfied that appointed counsel fulfilled his duty, and that no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d 436; *People v. Kelly* (2006) 40 Cal.4th 106.)

DISPOSITION

The judgment is affirmed.

BIGELOW, P. J.

We concur:

RUBIN, J.

GRIMES, J.