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

THE PEOPLE,

Plaintiff and Respondent,

v.

MONEAK JOHNSON,

Defendant and Appellant.

2d Crim. No. B284243
(Super. Ct. No. MA071017)
(Los Angeles County)

Moneak Johnson appeals after she pled no contest to being a felon in possession of a firearm (Pen. Code,¹ § 29800, subd. (a)(1)) following the denial of her motion to suppress (§ 1538.5). The trial court imposed a 16-month state prison sentence and ordered it to run concurrently with a sentence imposed against appellant in another case.

On April 15, 2017, the Los Angeles County Sheriff's Department applied for a warrant to search appellant's residence at 38462 32nd Street East in Palmdale. The statement of probable cause indicated that on the night of April 14 there was a

¹ All further statutory references are to the Penal Code.

shooting at 38532 33rd Street East in Palmdale. A witness heard gunshots and saw two African-American men fighting over a gun. Eight expended shell casings were found on the ground.

While the deputies were still at the scene, Gregory Robinson came out of the residence and said he had been shot by “Scud,” who was later identified as Samuel Palmer.² Robinson told the deputies he had been in the house with Palmer and appellant, whom he referred to as Palmer’s girlfriend “Mo.” According to Robinson, appellant and Palmer were fighting and he punched her in the face. Robinson stepped in, and he and Palmer began fighting.

Palmer said he was going to get a gun and left. Shortly thereafter, Robinson saw Palmer walking down 33rd Street East. Robinson ran inside the house to get his own gun to protect himself. When Robinson returned outside, Palmer walked to the front of the sidewalk and began shooting at him. Robinson returned fire and Palmer ran away.

Robinson directed the deputies to appellant’s residence and said Palmer lived with her. While the deputies were still at the scene of the shooting, another deputy saw appellant walking out of her residence and detained her. Appellant had swelling over her right eye. She denied being Palmer’s girlfriend but admitted the two had previously dated and lived together.

The magistrate granted the warrant to search appellant’s residence for, among other things, the gun Palmer had used during the shooting. During the search of appellant’s room, deputies found a pistol and ammunition. Appellant admitted

² Palmer was found five houses away from the shooting and Robinson identified him in an in-field showup.

that the gun and ammunition were hers and that she had five prior felony convictions.

Prior to her plea, appellant moved to suppress the gun and ammunition on the ground that the search warrant failed to establish probable cause to search her residence (§ 1538.5, subd. (a)(1)(B)(iii)). The court denied the motion.

We appointed counsel to represent appellant in this appeal. After examining the record, counsel filed an opening brief raising no issues. On December 18, 2017, we advised appellant that she had 30 days within which to personally submit any contentions or issues she wanted to raise on appeal. We received no reply.

We have reviewed the entire record and are satisfied that appellant's attorney fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 126.)

The judgment is affirmed.

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PERREN, J.

We concur:

GILBERT, P. J.

TANGEMAN, J.

Kathleen Blanchard, Judge
Superior Court County of Los Angeles

Rachel Varnell, under appointment by the Court of Appeal,
for Defendant and Appellant.

No appearance for Plaintiff and Respondent.