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

THE PEOPLE,

Plaintiff and Respondent,

v.

MARVIN SEGOVIA,

Defendant and Appellant.

B281160

Los Angeles County  
Super. Ct. No. 6PH07235

APPEAL from an order of the Superior Court of Los Angeles County, Jacqueline H. Lewis, Judge. Affirmed.

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

No appearance for Plaintiff and Respondent.

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## INTRODUCTION

Defendant and appellant Marvin Segovia appeals from the superior court's order revoking and reinstating his parole supervision on condition that he serve 150 days in jail. Defendant's counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, stating no arguable issue exists and requesting that this court independently review the record. We have reviewed the entire record and find no arguable issue. We affirm the order.

## PROCEDURAL BACKGROUND

Defendant was previously convicted<sup>1</sup> of assault with a deadly weapon (Pen. Code, § 245, subd. (a)(1))<sup>2</sup> and, after serving a prison term, he was released to parole supervision on February 2, 2016. On September 30, 2016, defendant signed a form disclosing the conditions of his parole which, among other things, prohibited defendant from owning, using, having access to or having under his control several types of weapons, including "any knife with a blade longer than two inches, except kitchen knives which must be kept only in the kitchen of your residence, and knives related to your employment, which may be used and carried only in connection with your employment."

On October 10, 2016, defendant was observed carrying a knife at a McDonald's restaurant located in Van Nuys. Officers from the Los Angeles Police Department responded to a call from the manager of the McDonald's and subsequently arrested

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<sup>1</sup> Defendant is also a registered sex offender based on an earlier offense.

<sup>2</sup> All undesignated statutory references are to the Penal Code.

defendant. The officers confiscated two knives from defendant and the blades of both weapons were more than five inches in length.

On October 13, 2016, the Department of Corrections and Rehabilitation filed a petition for revocation of parole under section 3000.08, subdivision (f), alleging defendant violated the conditions of parole supervision by carrying a concealed dirk or dagger. On January 30, 2017, the court held a contested parole revocation hearing, at which time the manager of the McDonald's restaurant who observed defendant carrying a knife testified, as did defendant's assigned parole officer. The court found that defendant violated the terms and conditions of his parole supervision by carrying a knife with a blade exceeding two inches in length. The court then revoked and reinstated parole supervision, conditioned on defendant serving 150 days in county jail under section 3000.08, subdivision (f). Defendant filed a timely notice of appeal.

On June 28, 2017, defendant's appellate counsel filed a brief in which she raised no issues and asked us to review the record independently. (*People v. Wende, supra*, 25 Cal.3d at p. 443.) Later that day, we notified defendant that his counsel failed to find any arguable issues and that he had 30 days to submit by brief or letter any arguments he wished this court to consider. We have not received a response.

## DISCUSSION

We have examined the entire record, and are satisfied appellate counsel has fully complied with her responsibilities and no arguable issue exists in the appeal before us. (*Smith v. Robbins* (2000) 528 U.S. 259, 278–284; *People v. Wende, supra*, 25 Cal.3d at p. 443.)

## **DISPOSITION**

The order revoking and reinstating defendant's parole conditioned on his serving 150 days in jail is affirmed.

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LAVIN, J.

WE CONCUR:

EDMON, P. J.

STONE, J.\*

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