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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

PATRICK JOSAPHAT,

Defendant and Appellant.

B254421

(Los Angeles County  
Super. Ct. No. LA071272)

APPEAL from a judgment of the Superior Court of Los Angeles County. Josh M. Fredricks, Judge. Affirmed.

Richard B. Lennon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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Appellant Patrick Josaphat was convicted after a no contest plea to charges of burglary and petty theft in 2012, and it was found true he had suffered a prior conviction for robbery (Pen. Code, § 211), a “strike,” and had served five prior prison terms. He was sentenced to three years in prison. The prison term was suspended and he was placed on probation, but 18 months later he was arrested and charged with misdemeanor trespass (Pen. Code, § 602), which was alleged to be a probation violation. The misdemeanor charge was ultimately dismissed and the matter proceeded solely on the probation violation. The trial court found appellant in violation of his probation, recalled the three-year sentence, and sentenced appellant anew to a term of 16 months in prison.

Appellant filed a timely appeal before being released from custody in May 2014. We appointed counsel to represent him on appeal. After examining the record, counsel filed an opening brief raising no issues and asking this court to review the record independently. We advised appellant he had 30 days to submit any contentions or issues he wished us to consider, but he declined to do so.

We have examined the record and are satisfied that appellant’s counsel has fully complied with the responsibilities set forth in *People v. Kelly* (2006) 40 Cal.4th 106, 109-110 and *People v. Wende* (1979) 25 Cal.3d 436, 441.

#### **DISPOSITION**

The judgment is affirmed.

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CHANEY, J.

We concur:

ROTHSCHILD, P. J.

JOHNSON, J.