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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSE ALEX MENDEZ,

Defendant and Appellant.

B289197

(Los Angeles County  
Super. Ct. No. PA058263)

THE COURT:

Appellant Jose Alex Mendez appeals the order of the superior court denying his motion for resentencing under Senate Bill No. 620. (Pen. Code,<sup>1</sup> § 12022.53, subd. (h), as amended by Stats. 2017, ch. 682, § 2, eff. Jan. 1, 2018.)

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<sup>1</sup> Undesignated statutory references are to the Penal Code.

Appellant was convicted in 2009 of 12 counts of second degree robbery (§ 211) and one count of attempted second degree robbery (§§ 664/211), with findings that he personally used a firearm in 12 of the crimes. (§ 12022.53, subd. (b).) Appellant received an aggregate sentence of 60 years, 4 months. This Court affirmed the judgment in a non-published opinion dated July 21, 2010.

On March 13, 2018, appellant filed a motion in the superior court requesting resentencing in accordance with Senate Bill No. 620, which amended section 12022.53 to give the trial court authority to strike, in the interest of justice pursuant to section 1385, a firearm enhancement allegation found to be true. (§ 12022.53, subd. (h).) The superior court denied the motion on March 15, 2018, on the ground that Senate Bill No. 620 “does not provide an independent right to resentencing.” Neither appellant nor the People were represented by counsel at the hearing.

Appellant timely appealed the superior court’s ruling, and we appointed counsel to represent appellant. After examination of the record, counsel filed an opening brief raising no issues and asking this Court to independently review the record. Appellant filed his own supplemental brief, in propria persona.

In his supplemental brief appellant requests this Court to review his sentence pursuant to section 654, and to review the criteria for resentencing pursuant to Senate Bill No. 620 and section 12022.53.

We have examined the entire record and are satisfied that appellant’s attorney has fully complied with his responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

## **DISPOSITION**

The order is affirmed.

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LUI, P.J.      ASHMANN-GERST, J.      CHAVEZ, J.