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REPORTS**

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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.

DANNY MICHAEL WRIGHT,

Defendant and Appellant.

B275831

(Los Angeles County
Super. Ct. No. MA066337)

APPEAL from a judgment of the Superior Court of Los Angeles County, Martin Herscovitz, Judge. Affirmed.

Danny Michael Wright, in pro. per.; and Jeffrey J. Douglas, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Danny Michael Wright (Wright) appeals from a conviction for attempted first degree burglary (Pen. Code, §§ 459, 664¹).

On June 22, 2015, at approximately 1:30 p.m., while Karlia Espinoza was babysitting her younger brother, Angel, at their Palmdale apartment where they lived with their parents, someone knocked on the apartment's front door.² At the time Karlia and Angel were home alone. After the knocking, Karlia heard the front door's knob being turned. Karlia sent Angel to look through the front door's peephole because he was taller. Through the peephole, Angel saw Wright. Angel did not recognize Wright and he did not say anything to Wright because he was afraid. And Wright did not say anything to him. After a few seconds, Angel saw Wright walk to the left toward the window in Karlia's bedroom. Angel told his sister and she went down the hall toward her bedroom. Shortly thereafter, Angel heard a "knocking" sound coming from his sister's bedroom window.

A screen covers the outside of Karlia's bedroom window. Vertical blinds and curtains are inside the window. When Karlia looked into her bedroom, she too heard "banging" noises coming from the window and heard the window sliding sideways along its track. She then saw the

¹ All further statutory references are to the Penal Code unless otherwise indicated.

² We refer to the Espinozas by their first names for the sake of clarity, intending no disrespect.

blinds and curtains covering her window move. Karlia called out to Wright “to make [her] presence known,” and then grabbed her cell phone and called 911 because she was “very scared.” A few minutes later, Los Angeles County Sheriff’s deputies detained Wright half a block from the Espinozas’ apartment. Karlia noticed that the screen outside her window had been torn and indented during the incident.

On July 16, 2015, the People filed an information charging Wright with first degree burglary (§ 459). On July 30, 2015, Wright pleaded not guilty. The trial court held a jury trial from May 26-31, 2016. Wright elected not to testify on his own behalf and he did not call any other witness.

On May 31, 2016, after a few hours of deliberation, the jury returned its verdict, finding Wright guilty of attempted first degree burglary.

On June 23, 2016, after Wright admitted to a prior felony conviction, the trial court sentenced Wright to nine years in prison—the court imposed the midterm sentence of two years for the attempted burglary, which the court then doubled pursuant to sections 667, subdivisions (b)–(j); and 1170.12, for a total of four years; to that total, the court added a five-year enhancement pursuant to section 667, subdivision (a)(1). On that same day, Wright filed a timely notice of appeal.

We appointed counsel to represent Wright, and, after examining the record, his counsel filed an opening brief raising no issues and asking this court to independently

review the record. On March 15, 2017, we advised Wright that he had 30 days in which to submit any contentions or issues he wished us to consider. In a one-page supplemental brief, dated March 27, 2017, Wright addressed the merits of the People’s case against him: he argued that there was no rational reason for him to have attempted to burglarize the Espinozas’ apartment as he lived in the same apartment complex and had recently been released from prison: “Why would I jeopardize . . . coming back to prison after only three months.”

We have examined the entire record and are satisfied that Wright’s counsel 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 judgment is affirmed.

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JOHNSON, J.

We concur:

ROTHSCHILD, P. J.

LUI, J.