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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

In re H.P., a Person Coming Under the  
Juvenile Court Law.

B233804  
(Los Angeles County  
Super. Ct. No. MJ17969)

THE PEOPLE,

Plaintiff and Respondent,

v.

H.P.,

Defendant and Appellant.

APPEAL from a judgment of the Superior Court of Los Angeles County.

Benny C. Osorio, Judge. Affirmed.

Courtney M. Selan, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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Appellant H.P. was declared a ward of the court under Welfare and Institutions Code section 602<sup>1</sup> after the juvenile court found true a single count of robbery in violation of Penal Code section 211. The court ordered appellant to short term (three month) camp; declared a maximum term of confinement of five years and four months, and awarded appellant 41 days of custody credits. We appointed counsel to represent him on this appeal. Finding no error, we affirm the judgment.

### FACTUAL AND PROCEDURAL BACKGROUND

On the afternoon of April 29, 2011, R.R. was walking from his apartment in Palmdale to his friend's house when he encountered a group of three or four youths hanging out on the sidewalk. One of the group "got in his face," asking him where he was from. The others in the group "kind of surrounded" him. R.R. told the youths that he had no money, just an iPod and his phone. Two of the group told R.R. to give them these items; one of them threatened to "sock" R.R., and in fact did so, hitting him in the eye.

Directly after the incident, as well as in court, R.R. identified appellant as one of the group surrounding him, although not one of the two who demanded his iPod and phone, or the one who threatened to hit him. R.R. described appellant as having stood approximately two feet behind his left shoulder, next to the youth who threatened him. Although appellant did not actively encourage or facilitate the theft or the fight, R.R. was frightened to have someone standing behind him. Based on this evidence, the juvenile court found true the allegation that appellant had committed a robbery.

After examination of the record, appellant's counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, and requested that this court conduct an independent review of the entire appellate record to determine whether any arguable issues exist. On October 20, 2011, we advised appellant that he had 30 days in which to

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<sup>1</sup> Appellant had been placed at home on probation for six months in 2009, as a result of his admission to an allegation of vandalism under \$400, a misdemeanor, in violation of Penal Code section 594.

personally submit any contentions or issues which he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

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ARMSTRONG, J.

We concur:

TURNER, P. J.

MOSK, J.