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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

PEDRO GARCIA,

Defendant and Appellant.

2d Crim. No. B280226
(Super. Ct. Nos. 2016011103,
016027547)
(Ventura County)

Appellant Pedro Garcia pled guilty in two criminal cases. He appeals his sentence, totaling six years eight months. The appeal does not affect the validity of his plea. (Pen. Code, § 1237.5; Cal. Rules of Court, rule 8.304(b)(4)(B), (5).)¹

Case No. 2016011103

In March 2016, the Oxnard Police Department conducted a parole search of Garcia's home. As a result of the search, he was charged with being a felon in possession of a firearm and ammunition. (§§ 29900, subd. (a)(1), 30305, subd. (a)(1).) The complaint alleged a prior conviction and prison term for assault.

¹ Unlabeled statutory references are to the Penal Code.

Case No. 2016027547

In July 2016, the Oxnard Police Department attempted to make a traffic stop of Garcia's vehicle. He fled. During a high speed chase, Garcia drove through a red light, nearly collided with another car, lost control of his car, and landed on the sidewalk. He opened the car door, discarded a loaded gun, ran, and was soon apprehended.

Garcia was charged with (1) evading a police officer (Veh. Code, § 2800.2, subd. (a)); (2) carrying a loaded firearm in a vehicle (§ 25850, subd. (a)); (3) carrying a concealed firearm in a vehicle (§ 25400, subd. (a)(1)); (4) being a felon or addict in possession of a firearm (§ 29800, subd. (a)(1)); (5) being a felon in possession of ammunition (§ 30305, subd. (a)(1)); (6) possession of methamphetamine while armed with a loaded gun (Health & Saf. Code, § 11370.1, subd. (a)); (7) disobeying a gang injunction by possessing a handgun (§ 166, subd. (a)(9)); (8) disobeying a gang injunction by possessing methamphetamine (*Ibid.*); (9) resisting or obstructing an officer (§ 148, subd. (a)(1)); (10) possession of methamphetamine (Health & Saf. Code, § 11377, subd. (a)); and (11) possession of drug paraphernalia (*Id.*, § 11364, subd. (a)). The complaint alleged Garcia's prior conviction for assault, and that he committed the new offenses while out of custody on bail (§ 12022.1, subd. (b)).

Plea and Sentencing

Garcia waived his right to trial. On October 26, 2016, as part of a global disposition, he pled guilty to firearm possession in Case No. 2016011103, and pled guilty in Case No. 2016027547 to evading a police officer, carrying a loaded firearm, firearm possession, possessing drugs while armed, resisting an officer, and violating a gang injunction. He admitted the priors.

In Case No. 2016027547, the court sentenced Garcia to four years for possessing drugs while armed, plus a consecutive term of sixteen months for evading a police officer. The remaining counts were either stayed or ran concurrently. The trial court sentenced Garcia to one year four months in prison in Case No. 2016011103, to be served consecutively with the sentence in Case No. 2016027547. Garcia received presentence credits and restitution fines and mandatory fees were imposed.

Garcia appealed the sentence. We appointed counsel to represent him in this appeal. After examining the record, counsel filed an opening brief raising no issues. On June 20, 2017, we advised Garcia that he could personally submit any contentions or issues within 30 days. We received no reply.

We have reviewed the entire record and are satisfied that Garcia's attorney fully complied with his responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 126.)

The judgment is affirmed.

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PERREN, J.

We concur:

GILBERT, P. J.

YEGAN, J.

Bruce A. Young, Judge
Superior Court County of Ventura

California Appellate Project, Jonathan B. Steiner,
Richard B. Lennon, under appointment by the Court of Appeal,
for Defendant and Appellant.

No appearance for Plaintiff and Respondent.