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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.

MICHAEL CHARLES SIMON,

Defendant and Appellant.

2d Crim. No. B281316  
(Super. Ct. No. 16F-04925)  
(San Luis Obispo County)

Michael Charles Simon appeals the judgment entered after he pled no contest to second degree burglary (Pen. Code, § 459)<sup>1</sup> and admitted a prior strike conviction (§§ 667, subds. (d) - (e), 1170.12, subds. (b) -(c)) and four prior prison term enhancements (§ 667.5, subd. (b)). The preliminary hearing transcript reflects that appellant burglarized a hair salon and took the business owner's car keys and vehicle. Prior to sentencing, the trial court granted appellant's *Faretta* motion

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

(*Faretta v. California* (1975) 422 U.S. 806) to represent himself and denied a motion to strike the prior strike conviction. The trial court sentenced appellant to five years state prison and ordered appellant to pay various fines and fees.

We appointed counsel to represent appellant in this appeal. After examining the record, counsel filed an opening brief raising no issues. On June 22, 2017, we advised appellant that he had 30 days to personally submit any contentions he wished us to consider. We have received no response from appellant.

We have reviewed 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, 126; *People v. Wende* (1979) 25 Cal.3d 436, 443.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P. J.

PERREN, J.

John A. Trice, Judge

Superior Court County of San Luis Obispo

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

No appearance for Respondent.