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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.

KIT RUDKIN HARTWELL,

Defendant and Appellant.

2d Crim. No. B259536
(Super. Ct. No. 14C-02514)
(San Luis Obispo County)

Kit Rudkin Hartwell appeals from the judgment entered after he pled guilty to assault by means likely to produce great bodily injury (Pen. Code, § 245, subd. (a)(4))¹ and admitted a great bodily injury enhancement (§ 12022.7, subd. (a)). The probation report reflects that appellant grabbed and threw his mother to the ground, banged her head against the cement four or five times, and slammed her down over and over again. Before sentencing, a psychologist opined that appellant suffered from a schizophrenic spectrum disorder or a delusional disorder. The trial court denied probation, sentenced appellant to five years state prison, and ordered appellant to pay a \$1,500 restitution fine (§ 1202.4, subd. (b)), a \$1,500 fine (§ 1202.45), a \$40 court security fee (§ 1465.8) and a \$30 criminal conviction assessment fee (Gov. Code, § 70373).

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

Appellant filed a motion to recall the sentence (§ 1170, subd. (d)), which was denied, a notice of appeal, and a request for certificate of probable cause which was denied by the trial court. (§ 1237.5, subd. (a).) We appointed counsel to represent appellant in this appeal. After counsel's examination of the record, he filed an opening brief in which no issues were raised.

On March 17, 2015, we advised appellant that he had 30 days within which to personally submit any contentions or issues he wished us to consider. No response has been received.

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. Wende* (1979) 25 Cal.3d 436, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 126.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P.J.

PERREN, J.

Michael L. Duffy, Judge
Superior Court County of San Luis Obispo

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

No appearance for Respondent.