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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.

MARVIN AMILCAR ARRIOLA,

Defendant and Appellant.

B269740

(Los Angeles County
Super. Ct. No. SA087342)

APPEAL from a judgment of the Superior Court of Los Angeles County. Kathryn A. Solorzano, Judge. Appeal dismissed.

Lise M. Breakey, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Marvin Amilcar Arriola entered a negotiated plea of no contest to a single count of gross vehicular manslaughter while intoxicated, with a sentencing range of one to six years. His conviction arose from a June 28, 2013 incident in which he drove while intoxicated on the freeway in the dark without turning on his car's headlights. He struck the back of a big-rig truck and then stopped in a traffic lane, whereupon his car was then

struck by a second big-rig truck, killing both of the passengers in defendant's car. In conformity with the terms of the plea agreement, the trial court sentenced defendant to six years in prison.

Defendant did not apply for or obtain a certificate of probable cause, but filed a timely appeal. We appointed counsel to represent defendant on appeal. After examination of the record, counsel filed an opening brief raising no issues and asking this court to independently review the record. On September 1, 2016, we advised defendant he had 30 days within which to personally submit any contentions or issues he wished us to consider. To date, we have received no response.

Defendant's no contest plea and failure to obtain a certificate of probable cause limit the potential scope of defendant's appeal to "grounds that arose after entry of the plea and do not affect the plea's validity" or "the denial of a motion to suppress evidence under Penal Code section 1538.5." (Pen. Code, § 1237.5; Cal. Rules of Court, rule 8.304(b).) We have examined the entire record and have found that no arguable issues of any sort exist, let alone issues cognizable without a certificate of probable cause. We are satisfied that defendant's attorney has fully complied with her responsibilities. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The appeal is dismissed.

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LUI, J.

We concur:

CHANEY, Acting P. J.

JOHNSON, J.