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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

GERRADO DEMETRIUS
FERNANDEZ,

Defendant and Appellant.

B238774

(Los Angeles County
Super. Ct. No. VA115518)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Laura R. Walton and Peter Espinoza, Judges. Affirmed.

David M. Thompson, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Respondent.

On February 28, 2011, a jury found appellant guilty of five counts of second degree robbery (Pen. Code, § 211).¹ As to count 2, the jury found true that a principal was armed with a firearm (§ 12022, subd. (a)(1)). As to counts 3 and 5, it found true that appellant personally used a firearm (§ 12022.52, subd. (b)). The jury found not true that appellant personally used a firearm as to count 1. Appellant filed a motion for new trial (§ 1181), challenging the sufficiency of the evidence to support the firearm allegations. The motion was heard and denied on November 7, 2011. Subsequently, the matter was transferred for consolidated sentencing with another criminal case involving appellant. With respect to the convictions in this matter, appellant was sentenced to 12 years in state prison.

After appellant filed a timely notice of appeal, this court appointed counsel to represent him. After examining the record, appointed appellate counsel filed a brief raising no issues, but asking this court to independently review the record on appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441-442. (See *Smith v. Robbins* (2000) 528 U.S. 259, 264.) On October 5, 2012, we sent a letter advising appellant he had 30 days within which to submit by brief or letter any contentions or arguments he wished this court to consider. No reply was received.

As to count 2, the victim testified she was sitting in her truck when a man holding a handgun approached her and said, “Give me your money.” Appellant opened the passenger door to her truck, and asked her for her “gold,” which the first man clarified to mean “like your necklace.” After she said she had no gold, appellant grabbed her purse and left. As to counts 3, and 5, the victims testified they saw appellant wield a handgun during the respective robberies. The testimony of a single witness is sufficient to sustain a jury’s finding on a firearm allegation. (*People v. Watts* (1999) 76 Cal.App.4th 1250, 1259.)

This court has examined the entire record in accordance with *People v.*

¹ All further statutory citations are to the Penal Code.

Wende, supra, 25 Cal.3d at pages 441-442, and is satisfied appellant's attorney has fully complied with the responsibilities of counsel, and no arguable issues exist. Accordingly, we affirm the judgment of conviction.

DISPOSITION

The judgment is affirmed.

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MANELLA, J.

We concur:

WILLHITE, Acting P. J.

SUZUKAWA, J.