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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION EIGHT

THE PEOPLE OF THE STATE  
OF CALIFORNIA,

Plaintiff and Respondent,

v.

LESTER TUBIN,

Defendant and Appellant.

B283281  
(L.A. Super. Ct.  
No. VA142548)

APPEAL from an order of the Superior Court of Los Angeles County. Robert Higa, Judge. Affirmed.

Laura R. Sheppard, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Respondent.

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A jury convicted defendant Lester Tubin of felony unlawful driving or taking of a vehicle and misdemeanor driving with a suspended license. Based on our independent review of the record pursuant to *People v. Wende* (1979) 24 Cal.3d 436, 442, we affirm the judgment.

### **FACTUAL AND PROCEDURAL BACKGROUND**

Viewed in accordance with the usual rules of appeal (*People v. Zamudio* (2008) 43 Cal.4th 327, 357), the evidence established that on August 7, 2016, police officers pulled over a Nissan Frontier driven by defendant. Defendant admitted that his license was suspended. The officers determined the car had been reported stolen three days earlier. A shaved key was in the ignition on a ring with two other shaved keys. Defendant had seven shaved keys in his pocket.

Defendant told the officers that his brother had bought the car at auction two weeks prior and lent it to him. However, defendant also acknowledged the car might be stolen, and that he had tried many keys in the ignition before getting the car to start.

He was charged with felony unlawful driving or taking of a vehicle (Veh. Code, § 10851, subd. (a)), and misdemeanor driving with a suspended license (Veh. Code, § 14601.1, subd. (b)(2)). It was further alleged that, within five years of the current offense, defendant had thrice been convicted of driving with revoked driving privileges.

A jury convicted defendant as charged. He was sentenced to three years of formal probation on condition that he serve 336 days in jail—equivalent to defendant's credit for time served. He timely appealed.

We appointed counsel to represent defendant on appeal. After examination of the record, appointed counsel filed an opening brief requesting that we independently review the record pursuant to *Wende, supra*, 25 Cal.3d 436. We advised defendant that he had 30 days within which to personally submit any contentions or issues which he wished us to consider. Defendant did not file a supplemental brief.

We have examined the entire record and are satisfied that appointed counsel fully complied with her responsibilities and that no arguable issues exist. (*Wende, supra*, 25 Cal.3d at p. 441.)

#### **DISPOSITION**

The judgment is affirmed.

RUBIN, J.

WE CONCUR:

BIGELOW, P. J.

GRIMES, J.