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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.

JUWAYRIYA JAIMES,

Defendant and Appellant.

B276223

(Los Angeles County
Super. Ct. No. GA097708)

APPEAL from judgment of the Superior Court of Los Angeles County. Rupa S. Goswami, Judge. Affirmed.

Marta I. Stanton, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Juwayriya Jaimes appeals the judgment entered following a jury trial in which she was convicted of three misdemeanor offenses: injuring a boyfriend (Pen. Code,¹ § 273.5, subd. (a)), resisting, delaying or obstructing a peace officer (§ 148, subd. (a)(1)), and refusal or failure to provide a specimen (§ 298.1, subd. (a)).² The trial court granted appellant three years formal probation on the condition that she serve 180 days in county jail.

Defendant appealed the trial court's ruling. 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. Appellant did not file any supplemental brief of her own.

FACTUAL BACKGROUND

In December 2015, appellant was staying with Daniel Resendiz and his family for a few days. During that time Resendiz and appellant had a sexual relationship. On December 11, 2015, approximately 2:30 p.m., Resendiz returned home to find appellant lying in bed with an almost empty whiskey bottle nearby and pills strewn about the room. Appellant smelled of alcohol and was "very sloppy and loopy." She started behaving erratically and said she might have taken too much of her medication. Resendiz grabbed the pills and started throwing them on the floor and stepping on them. At this, appellant became enraged and attacked Resendiz. She punched him in the

¹ Undesignated statutory references are to the Penal Code.

² The jury acquitted appellant of one count of misdemeanor vandalism (under \$400). (§ 594, subd. (a).)

face and about the head, giving him a black eye, she pulled his hair, scratched his face and chest, and ripped his shirt.

Resendiz tried to restrain appellant and told her she had to leave. Appellant started throwing and breaking things in the room. She put a hole in the wall, broke tiles on the floor, broke the closet door, and threw Resendiz's laptop, which broke the closet mirror. She overturned the mini bar. Resendiz called the police. Appellant followed Resendiz outside and jumped on his back. Resendiz managed to restrain appellant and held her down until police arrived.

Police handcuffed and arrested appellant. She smelled of alcohol, appeared to be intoxicated, and was uncooperative with the officers. She spat in the back of the patrol car. During booking appellant refused to be fingerprinted, submit her DNA, or otherwise cooperate with police. Following attempts to book appellant, she was taken to the hospital for injuries she claimed she had sustained during the arrest and booking.

Appellant testified in her own behalf. On December 11, 2015, Resendiz came home around 2:30 p.m., as usual. After he took a shower, Resendiz started acting strangely: He was smoking marijuana and dancing around, sweating profusely. Appellant was using her laptop on the bed, and Resendiz, who seemed unusually animated, started pawing at her and trying to wrestle. Suddenly he threw his mini bar and appellant's computer monitor to the ground, and began tearing appellant's artwork and pictures off the walls.

At some point, appellant ended up on the floor with Resendiz on top of her. He pressed his right forearm against appellant's neck and choked her with the other hand. Appellant could not breathe. In an effort to get him off her, appellant scratched at Resendiz's face and eyes. Resendiz became angry.

He said, “ ‘You got to go, bitch,’ ” and began dragging appellant across the floor.

Appellant tried to escape outside, but Resendiz ran after her and threw her to the ground, causing her to hit her head hard. Resendiz pinned her to the ground, releasing her as soon as the police arrived. Appellant asked the officers for help getting up, but was told to stay on the ground. Appellant was then handcuffed, arrested, and placed in the back seat of a patrol car. She denied putting up any resistance. She admitted, however, that she refused to cooperate during booking because she felt she was the victim.

DISCUSSION

We have examined the entire record and are satisfied that defendant’s attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The judgment is affirmed.

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LUI, J.

We concur:

CHANEY, Acting P. J.

JOHNSON, J.