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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

JESUS CUEVA GARCIA,

Defendant and Appellant.

B243560

(Los Angeles County
Super. Ct. No. NA092222)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Richard R. Romero, Judge. Affirmed.

Ann Krausz, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

Jesus Cueva Garcia was charged in an information with possession of methamphetamine (Health & Saf. Code, § 11377, subd. (a)) and indecent exposure (Pen. Code, § 314, subd. 1). Represented by counsel, Garcia pleaded not guilty to the charges.

The trial court granted Garcia's motion for discovery of the arresting officer's personnel files pursuant to Evidence Code sections 1043 and 1045 and *Pitchess v. Superior Court* (1974) 11 Cal.3d 531. The court conducted an in camera review of that officer's personnel and administrative records for complaints concerning "false statements, false reports and false testimony," and found no relevant material.

According to the evidence at trial, on May 9, 2012 Garcia masturbated in the presence of an undercover vice officer in the bathroom of a city park in Long Beach. During a search incident to Garcia's arrest for indecent exposure, the police recovered a small plastic bag containing methamphetamine. The jury convicted Garcia as charged.

The trial court sentenced Garcia to a term of 22 months in county jail, consisting of the lower term of 16 months for possession of methamphetamine and six months for indecent exposure. The court ordered Garcia to register as a sex offender and to pay a \$40 court security fee, a \$30 criminal conviction assessment, a \$50 lab fee and a \$ 240 restitution fine. The court imposed and suspended a parole revocation fine pursuant to Penal Code section 1202.45. Garcia was awarded a total of 210 days of presentence credit (105 actual days and 105 days of conduct credit).¹

We appointed counsel to represent Garcia on appeal. After an examination of the record, counsel filed an opening brief in which no issues were raised. On April 15, 2012, we advised Garcia he had 30 days in which to personally submit any contentions or issues he wished us to consider. No response has been received to date.

¹ Following Garcia's post judgment motion, the trial court increased the number of Garcia's presentence custody credits from 209 to 210 days.

We have examined the record and are satisfied Garcia's attorney has fully complied with the responsibilities of counsel, and no arguable issue exists. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

WOODS, J.

We concur:

PERLUSS, P. J.

ZELON, J.