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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.

OSCAR VARGAS MACIAS,

Defendant and Appellant.

B282237

(Los Angeles County
Super. Ct. No. PA031366)

APPEAL from a judgment of the Superior Court of Los Angeles County, Cynthia L. Ulfing, Judge. Affirmed.

Theresa Osterman Stevenson, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

We take the facts from the sparse information presented in pleadings filed below. In 2000, Oscar Vargas Macias and a co-defendant were convicted of two counts of murder and three counts of attempted murder. (Pen. Code, § 664/187, subd. (a).) We affirmed Macias's conviction on appeal.

In 2014, Macias, apparently in response to *People v. Pedroza* (2014) 231 Cal.App.4th 635, which addressed accomplice testimony, filed a motion in the superior court to obtain transcripts from his prior trial in 2000 from the California Department of Corrections and Rehabilitations (CDCR). The court apparently granted the motion, but the CDCR possessed no responsive documents.

Macias then filed a motion for contempt sanctions, which the court denied on January 26, 2017, citing lack of jurisdiction.

In February 2017, Macias filed a motion for reconsideration and renewed a motion for discovery pursuant to Penal Code section 1054.9. The trial court denied both motions without comment. Macias appealed the order denying his motions.

We appointed counsel to represent Macias on appeal, and after examination of the record counsel filed an opening brief raising no issues and asking this court to review the record independently. (*People v. Wende* (1979) 25 Cal.3d 436.) On August 15, 2017, we sent letters to Macias and appointed counsel, directing counsel to forward the appellate record to Macias and advising him that within 30 days he could personally submit any contentions or issues that he wished us to consider. Macias has not responded.

We have examined the entire record and find no arguable issue exists. We are satisfied that Macias's appellate attorney has fully complied with the responsibilities of counsel, and that

no arguable appellate issue exists. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The court's order is affirmed.
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CHANEY, Acting P. J.

We concur:

JOHNSON, J.

BENDIX, J.*

* Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.