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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

ANGELO CAMACHO,

Defendant and Appellant.

B283100

(Los Angeles County
Super. Ct. No. BA447414)

APPEAL from a judgment of the Superior Court of Los Angeles County, Dorothy B. Reyes, Judge. Affirmed.

Sally Patrone Brajevich, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

In December 2016, the Los Angeles County District Attorney charged defendant Angelo Camacho (defendant) in a three-count information with kidnapping (count 1), injuring a spouse, cohabitant, fiancé, boyfriend, girlfriend, or child's parent (count 2), and criminal threats (count 3). The information further alleged defendant personally inflicted great bodily injury in the commission of count 2. The charges were predicated on evidence that defendant forced his ex-girlfriend, R.G., to accompany him to his residence by threatening to harm her family and, once there, repeatedly struck her in the face and head.

Pursuant to an agreement with the People, defendant pled no contest to the kidnapping and injuring a spouse or cohabitant charges in exchange for the prosecution's agreement to dismiss the criminal threats charge and to recommend the court impose an eight-year sentence, execution of which would be suspended while defendant was placed on probation. When entering his no contest pleas in court, defendant stated he had been given enough time to talk to his attorney about his case, including any possible defenses; he understood the consequences of pleading no contest; and he was entering his pleas freely and voluntarily because he believed it was in his best interest to do so.

A month after entering his no contest pleas, defendant obtained new counsel and filed a motion to withdraw his pleas. He argued he would not have pled no contest if he had known R.G. did not mention anything about being kidnapped when she sought a domestic violence restraining order against him the day after he attacked her. The trial court denied the motion, finding there was no good cause to withdraw the plea.

The trial court sentenced defendant as the parties had agreed: 8 years on the kidnapping charge in count 1 and 4 years,

concurrent, on the domestic violence charge in count 2. The trial court suspended execution of the sentence and placed defendant on 5 years formal probation with a condition that he serve 365 days in county jail. The court gave defendant 14 days of credit toward his sentence and imposed requisite fines and fees.

Defendant filed a notice of appeal and requested a certificate of probable cause. The trial court denied his request for a certificate. Defendant responded by filing another notice of appeal that indicated he was challenging only his sentence or other matters occurring after his plea that did not affect the validity of the plea, which would not require a certificate of probable cause.

We appointed counsel to represent defendant on appeal. After examining the record, counsel filed an opening brief raising no issues. On October 25, 2017, this court advised defendant he had 30 days to personally submit any contentions or issues he wished us to consider. We received no response.

We have examined the record provided to us in context of the operative notice of appeal, which limits our consideration to “postplea claims, including sentencing issues, that do not challenge the validity of the plea” (*People v. Cuevas* (2008) 44 Cal.4th 374, 379). We are satisfied defendant’s attorney on appeal has complied with the responsibilities of counsel and no arguable issue exists. (*Smith v. Robbins* (2000) 528 U.S. 259, 278-82; *People v. Kelly* (2006) 40 Cal.4th 106, 122-24; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The judgment is affirmed.

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BAKER, J.

We concur:

KRIEGLER, Acting P.J.

KIM, J.*

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