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

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSE BENIGNO ROMO,

Defendant and Appellant.

2d Crim. No. B265629
(Super. Ct. No. 1104013)
(Santa Barbara County)

In 2005 Jose Benigno Romo was convicted of first degree murder and sentenced to life without the possibility of parole. He was ordered to pay a restitution fine of \$10,000. We affirmed the judgment. (*People v. Romo* (Jan. 9, 2006, B185612) [nonpub. opn.].)

In 2015 Romo made a post-judgment motion to modify the judgment. He claimed that the trial court erred in imposing a \$10,000 restitution fine without a hearing on whether he could pay. The trial court denied the motion on the ground it had no jurisdiction to modify the judgment we affirmed. The court also stated that if it had jurisdiction it would deny the motion on the grounds that it is untimely and without merit. Romo appeals the order denying his motion.

We appointed counsel to represent Romo in this appeal. After counsel's examination of the record he filed an opening brief raising no issues.

On September 4, 2015, we advised Romo by mail that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. We have received no response.

We have reviewed the entire record and are satisfied Romo's attorney has fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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GILBERT, P. J.

We concur:

YEGAN, J.

PERREN, J.

Michael Carrozzo, Judge
Superior Court County of Santa Barbara

Richard B. Lennon, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Plaintiff and Respondent.