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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.

MILES EDSSEL HARRIS,

Defendant and Appellant.

B249631

(Los Angeles County  
Super. Ct. Nos. PA065909, PA069489,  
PA075298)

APPEAL from a judgment of the Superior Court of Los Angeles County,  
Michael J. O’Gara, Judge. Affirmed.

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

No appearance for Plaintiff and Respondent.

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Miles Edsel Harris pleaded no contest to one count of felony possession of a controlled substance (cocaine) for sale and was sentenced to three years doubled to six years based on a prior strike, with two concurrent sentences of two years each for cases in which Harris had been on probation. Harris filed a timely notice of appeal, requesting the issuance of a certificate of probable cause to allow him to argue that his no contest plea was invalid because he did not have a sentence that qualified as a strike; the certificate was denied. This appeal therefore is limited to noncertificate issues.

We appointed counsel to represent Harris on appeal. After examination of the record, counsel filed an opening brief raising no issues and asking this court to independently review the record. On November 1, 2013, we advised Harris he had 30 days in which to personally submit any contentions or issues he wished us to consider. To date, we have received no response.

In November 2012, an information charged Harris with two felony counts of receiving stolen property (a check), two felony counts of forgery (a check), and one felony count of possessing cocaine for sale, in violation of Health and Safety Code section 11351. The information alleged a prior robbery conviction as a prior strike. Harris initially pleaded not guilty to all counts. On April 26, 2013, he pleaded no contest to the narcotics charge, and admitted the prior strike conviction. Harris also admitted that he had violated his probation in two other cases. In No. PA065909, Harris had been charged in 2010 with commercial burglary, petty theft, receiving stolen property, and possessing methamphetamine, and pleaded no contest to the petty theft and possession charges. On March 10, 2010, imposition of sentence was suspended, and he was placed on probation with various terms and conditions including a year in jail followed by six months in a treatment program. In 2011, in No. PA069489, Harris had been charged with possession of dihydrocodeinone; he pleaded no contest on June 30, 2011. Again, sentence was suspended, and Harris was placed on probation, including a year in a residential treatment facility. The court also found him in violation of his probation in No. PA065909.

In the case under appeal, the trial court revoked Harris's probation in the two earlier cases and sentenced Harris to prison for three years, doubled to six because of the prior strike. The court also imposed two concurrent two-year sentences in Nos. PA065909 and PA069489, as well as presentence credits, fines, and fees.

We have examined the entire record and are satisfied that Harris's counsel has fully complied with his responsibilities, and no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441–442.)

### **DISPOSITION**

The judgment is affirmed.

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JOHNSON, J.

We concur:

CHANEY, Acting P. J.

MILLER, J.\*

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