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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.

BRIAN M. BOULTER,

Defendant and Appellant.

B261218

(Los Angeles County
Super. Ct. No. BA373986)

APPEAL from a judgment of the Superior Court of Los Angeles County.

James R. Dabney, Judge. Affirmed.

Julie Jakubik, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Appellant Brian Boulter pled no contest, pursuant to a plea agreement, to one count of possession for sale of a controlled substance in violation of Health and Safety Code section 11378. On February 7, 2011, the trial court placed appellant on formal probation for a period of three years.

On January 15, 2014, appellant admitted violating probation. The trial court revoked and reinstated probation, on the conditions that probation be extended to March 6 and appellant complete 10 days of CALTRANS service. On March 3, probation was revoked. On March 17, 2014, appellant was directed to provide proof of CALTRANS service by May 16, 2014.

On March 19, 2014, members of the Los Angeles County Sheriff's Department conducted a probation search of appellant's residence and arrested appellant on new charges and for violating probation. Appellant was subsequently charged in Los Angeles County Superior Court case number SA086855 with possession of child pornography, methamphetamine and a smoking device.

On April 10, 2014, the court in this case ordered the potential probation violation transferred to trail case number SA086855. The probation violation hearing in this case was then combined with the preliminary hearing in case number SA086855. At the conclusion of the combined hearing, the court found appellant in violation of probation in this case and ordered sentencing to trail case number SA086855.

On November 3, 2014, appellant pled no contest to reduced charges in case number SA086855. He was sentenced to three years probation in that case. Appellant admitted he had violated probation in this case. Probation was revoked and reinstated with the additional condition that appellant serve 460 days in county jail. Appellant was given credit for 230 actual custody days and 230 good time/work time days for a total of 460 days.

Appellant appeals from the judgment of conviction. Finding no error, we affirm.

Facts¹

The charge in this case arose from a search of appellant while he was visiting an inmate at the Los Angeles County Jail. The search uncovered two keys to lockers at the jail. Los Angeles County Sheriff's Deputies opened and searched the two lockers, found a sports bag, searched that item and found plastic bags containing a total of more than 20 grams of methamphetamine, several tablets of hydrocodone and several tablets of oxycodone. The deputies also found a digital scale.

Discussion

Appellant filed a timely notice of appeal, and we appointed counsel to represent him on appeal. Appellant's counsel filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, and requested this court to independently review the record on appeal to determine whether any arguable issues exist.

On June 18, 2015, we sent a notice to appellant, advising him he had 30 days in which to personally submit any contentions or issues which he wished us to consider. No response has been received from appellant to date.

We have examined the entire record and are satisfied appellant's attorney has fully complied with her responsibilities and no arguable issues exist. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

¹ These facts are taken from the October 7, 2010 preliminary hearing in this matter.

Disposition

The judgment is affirmed.

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KIRSCHNER, J.*

We concur:

MOSK, acting P. J.

KRIEGLER, J.

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