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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

ANTONIO LENIS SMITH,

Defendant and Appellant.

B275423

(Los Angeles County  
Super. Ct. No. YA092343)

APPEAL from a judgment of the Superior Court of Los Angeles County, Scott T. Millington, Judge. Affirmed.

Jeffrey Lewis, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

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Following a jury trial, defendant and appellant Antonio Lenis Smith, was found guilty of assault by means likely to produce great bodily injury, with a great bodily injury enhancement. (Pen. Code §§ 245, subd. (a)(4), 12022.7.)<sup>1</sup> Smith subsequently admitted a prior serious felony conviction enhancement allegation. (§ 667, subds. (a)-(i).) He was sentenced to a state prison term of 12 years. We affirm.

### **FACTUAL SUMMARY**

Viewed in accordance with the usual rules of appellate review (*People v. Ochoa* (1993) 6 Cal.4th 1199, 1206), the evidence established the following.

#### *1. Prosecution evidence.*

On February 12, 2014, Michelle Zedda, a resident of Germany, was vacationing in Los Angeles. That evening, as he was walking from his hostel on Century Boulevard to a nearby Target store, Zedda was attacked by defendant Smith. Without a word or any apparent motive, Smith walked up to Zedda and began punching him. Two women who happened to be driving past saw Smith knock Zedda down and then continue to punch him as Zedda lay on his back in the street. The two women (Diana Morelos and Vannia Silva) called 9-1-1 and then followed Smith in their car as he walked away from the scene of the attack. Within a couple of blocks, the police arrived and detained Smith. Both Morelos and Silva made in-field identifications of Smith as the perpetrator.

Inglewood Police Department Officer Cesar Herrera responded in his patrol car to a dispatch about the assault and was then alerted to the possibility that the perpetrator had been

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<sup>1</sup> All further statutory references are to the Penal Code unless otherwise specified.

spotted walking down the street. Herrera saw Smith and drove up to him. Herrera testified that as soon as he got out of his patrol car, Smith said, “I didn’t do anything.” Herrera told Smith “he was going to be detained. I patted him down and handcuffed him. As I was handcuffing him, he indicated that he didn’t knock anybody out.”

Zedda himself had no memory of the attack. He testified he was crossing the street and the next thing he remembers is seeing blood “on the ground and on my pants,” and that someone was attempting to assist him, holding “me tight and ask[ing] me ‘Is everything okay? Is everything okay?’ ”

An ambulance took Zedda to the hospital. Dr. Nichole Bosson, who was working in the emergency room at Harbor UCLA Hospital, testified that Zedda arrived at the hospital “with head and facial trauma; . . . a laceration over his left eyebrow and swelling to the left cheek. He had a visible open fracture to his jaw . . . .” The fracture was “comminuted, which mean[s] it had multiple pieces, and it was open; so it extended through the jaw bone and into the mouth.” Zedda testified he was put on a mostly liquid diet for eight weeks after the assault, and that he was left with “two dead teeth” and two metal plates implanted in his chin.

## *2. Defense evidence.*

Smith testified in his own defense. He denied having been the person who assaulted Zedda. He testified that the arresting officer asked if he had knocked somebody out on Century Boulevard, and it was in response to this question that he denied having knocked anybody out.

## **DISCUSSION**

We appointed counsel to represent Smith on appeal. After reviewing the record, counsel filed an opening brief requesting

this court to independently review the record pursuant to the holding of *People v. Wende* (1979) 25 Cal.3d 436, 441. We directed counsel to send the record on appeal and a copy of the opening brief to Smith, and notified Smith that he had 30 days within which to personally submit any contentions or issues he wished us to consider. No supplemental brief was filed.

We are satisfied that appellate counsel has fully complied with his responsibilities and that no arguable appellate issue exists. (*Smith v. Robbins* (2000) 528 U.S. 259, 278 [120 S.Ct. 746]; *People v. Kelly* (2006) 40 Cal.4th 106, 110.)

#### **DISPOSITION**

The judgment is affirmed.

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EDMON, P. J.

We concur:

LAVIN, J.

BACHNER, 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.