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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

MAYNOR FRANCISCO
ALVARADO,

Defendant and Appellant.

B285407

(Los Angeles County
Super. Ct. No. BA455764)

APPEAL from a judgment of the Superior Court of
Los Angeles County, Craig Richman, Judge. Affirmed.

Edward H. Schulman, under appointment by the Court of
Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Maynor Francisco Alvarado appeals from the judgment entered after a jury convicted him of four counts of lewd acts upon a child under 14 years of age. We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

In December 2016, when Alvarado was 36 years old, he began having sexual intercourse with a 13-year-old girl.¹ On January 14, 2017, without her mother's knowledge, the girl rode a bus to San Jose to stay with Alvarado while he was working there. The two of them continued their sexual relationship until the girl returned to Los Angeles on January 17, 2017. When Alvarado came back to Los Angeles, the girl left home and moved in with him. They continued their sexual relationship until March 22, 2017, when the girl discovered she was pregnant.

The girl's mother did not learn of her daughter's relationship with Alvarado until the girl left for San Jose. The mother filed a report with the Los Angeles and San Jose Police Departments. Later, after Alvarado and the girl had returned to Los Angeles, the mother tried to prevent them from seeing each other.

Following his arrest, police officers advised Alvarado of his right to remain silent, to the presence of an attorney and, if indigent, to appointed counsel (*Miranda v. Arizona* (1966) 384 U.S. 436 [86 S.Ct. 1602, 16 L.Ed.2d 694]). After waiving these rights, Alvarado admitted he had unprotected sex with the girl on several occasions in Los Angeles and San Jose.

¹ Alvarado's date of birth is October 18, 1980. The girl was born in October 2003.

The People charged Alvarado with nine counts of committing lewd acts on a child under 14 years of age in violation of Penal Code section 288, subdivision (a), on specified occasions between December 2016 and March 2017. He pleaded not guilty. The jury convicted Alvarado of four counts, acquitted him of four counts, and was unable to reach a verdict on the remaining count. The trial court declared a mistrial on that count and ultimately dismissed it on the People's motion.

The trial court sentenced Alvarado to a state prison term of 12 years. Alvarado timely appealed.

DISCUSSION

We appointed counsel to represent Alvarado in this appeal. After reviewing the record, counsel filed an opening brief raising no issues. On March 9, 2018 we gave Alvarado notice that he had 30 days to submit a brief or letter raising any grounds of appeal, contentions, or arguments he wanted us to consider. We have not received a response.

We have examined the record and are satisfied that appellate counsel for Alvarado has complied with his responsibilities and there are no arguable issues. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 118-119; *People v. Wende* (1979) 25 Cal.3d 436, 441-442.)

DISPOSITION

The judgment is affirmed.

SEGAL, J.

We concur:

PERLUSS, P. J.

WILEY, J.*

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