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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.

CHRISTOPHER ALAN TAFOYA,

Defendant and Appellant.

2d Crim. No. B238076
(Super. Ct. No. F464262)
(San Luis Obispo County)

Christopher Alan Tafoya appeals the judgment following his no contest plea to one count of receiving stolen property (Pen. Code, § 496, subd. (a))¹ and admission of a prior strike conviction (§§ 667, subds. (d)-(e), 1170.12, subds. (b)-(c)). The trial court sentenced him to 32 months in state prison (the low term of 16 months, doubled), awarded him 38 days of presentence custody credits and imposed the minimum statutory restitution fines (§§ 1202.4, subd. (b), 1202.45).

Appellant filed a timely notice of appeal challenging the sentence and validity of the plea. In his request for a certificate of probable cause,

¹ All statutory references are to the Penal Code.

appellant stated that he has been diagnosed with various mental illnesses, including attention deficit hyperactivity disorder (ADHD), anxiety disorder, amphetamine dependence and mood disorder, and that at the time of his plea, he was not taking his medication for these illnesses. He also stated he was under a lot of pressure and felt coerced when he entered his plea. The trial court denied the certificate. As a result, we may consider only the appeal from the sentence, which does not affect the validity of the plea. (§ 1237.5; Cal. Rules of Court, rule 8.304(b); *People v. French* (2008) 43 Cal.4th 36, 42-43.)

On August 24, 2011, John Bell was staying at a motel and noticed a man, later identified as Aaron Schafer, sitting inside Bell's truck. Bell chased Schafer, causing Schafer to drop some of the tools and other items he had taken from Bell's truck. Shortly thereafter, the police stopped a vehicle that resembled the vehicle Bell and another witness had seen leaving the motel parking lot around the time of the theft. Appellant was the driver; Schafer and a woman were passengers. Inside the car, police found a portable "DVD" player that had been reported stolen. The police also found bolt cutters, a pry bar and other possibly stolen items.

We appointed counsel to represent appellant in this appeal. After examining the record, counsel filed an opening brief raising no issues and requesting that we independently examine the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436.

On March 22, 2012, we advised appellant in writing that he had 30 days within which to personally submit any contentions or issues he wished to raise on appeal. Appellant did not respond.

Having examined the entire record, we are satisfied that appointed counsel has fully complied with his responsibilities and that no arguable issues

exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 123-124; *People v. Wende*, *supra*, 25 Cal.3d at p. 441.)

The judgment is affirmed.

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PERREN, J.

We concur:

GILBERT, P.J.

YEGAN, J.

John A. Trice, Judge

Superior Court County of San Luis Obispo

California Appellate Project, Jonathan B. Steiner and Richard B.
Lennon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.