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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.

DENNIS RANDOLPH SILVA,

Defendant and Appellant.

2d Crim. No. B298716
(Super. Ct. No. 1495338)
(Santa Barbara County)

Dennis Randolph Silva pleaded guilty to elder abuse (Pen. Code, § 368, subd. (b)(1))¹, corporal injury to a cohabitant (§ 273.5, subd. (a)), and unlawfully causing a fire (§ 452, subd. (b)). Silva also admitted to one prior “strike” conviction. (§§ 667, 1170.12.) Pursuant to a plea agreement, the trial court sentenced Silva to 10 years in prison. The court granted Silva a certificate of probable cause to appeal from both the plea and the sentence.

We appointed counsel to represent Silva in this appeal. After examining the record, he filed a brief raising no issues.

¹ All further statutory references are to the Penal Code.

On October 15, 2019, we advised Silva by mail that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal.

Silva submitted a letter claiming that at the time of the plea, he was mentally incompetent. The trial court appointed mental health professionals to assess his competence. Silva points to the report of one psychologist who found him to be incompetent. But other psychologists found him competent. The trial court held a hearing and found Silva to be competent. Silva presents no basis for overturning the court's determination.

Silva also complains that the criminal restraining order prohibiting him from contacting his victim was based on perjured hearsay. But the offenses to which Silva pleaded guilty are sufficient to support the restraining order. (§§ 273.5, subd. (j); 368, subd. (l).)

We have reviewed the entire record and are satisfied that Silva's attorney has fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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GILBERT, P. J.

We concur:

YEGAN, J.

PERREN, J.

Brian E. Hill, Judge

Superior Court County of Santa Barbara

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

No appearance for Plaintiff and Respondent.