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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.

DEVIN LAMAR WARD HEADLEY,

Defendant and Appellant.

2d Crim. No. B276941  
(Super. Ct. No. GA094405)  
(Los Angeles County)

Devin Lamar Ward Headley appeals a resentencing order made pursuant to Proposition 47. On October 16, 2014, appellant entered a no contest plea to felony grand theft of an automobile (count 1) and felony evading arrest (count 2). (Pen. Code, § 487, subd. (d)(1); Veh. Code, § 2800.2, subd. (a).) He admitted a violent or serious prior felony conviction.

The trial court sentenced appellant to the low term of 16 months on count 1, plus a consecutive one-third of the midterm (8 months) on count 2; both terms were doubled due to appellant's prior conviction. The total sentence was four years in prison. As part of the plea bargain, the court dismissed two felony counts charging that appellant left the scene of an accident that injured other motorists. (Veh. Code, § 20001.)

In March 2015, appellant petitioned to have his sentence recalled, have his convictions reduced to misdemeanors, and be resentenced under Proposition 47. (Pen. Code, § 1170.18.) Appellant waived his right to appear at the hearing, but was represented by the public defender.

At a hearing on June 10, 2015, the trial court found appellant eligible to have his conviction on count 1 reduced to a misdemeanor. On resentencing, the court imposed the midterm of two years on the base offense charged in count 2, and doubled it due to appellant's prior conviction. Appellant again received a four-year sentence, per the terms of his plea bargain.

The court denied appellant's subsequent motion to modify the sentence. It found that appellant's conviction for evading arrest did not qualify for relief, and concluded that resentencing appellant to the midterm of two years on count 2 is permissible because the resulting term (when doubled) is not longer than the original sentence. (Pen. Code, § 1170.18, subd. (e).) We agree with the trial court. (*People v. Sellner* (2015) 240 Cal.App.4th 699, 702; *People v. Mendoza* (2016) 5 Cal.App.5th 535, 538-539; *People v. Roach* (2016) 247 Cal.App.4th 178, 184-187; *People v. McDowell* (2016) 2 Cal.App.5th 978, 981-982.)

We appointed counsel to represent appellant in this appeal. After examining the record, counsel filed an opening brief raising no issues. On February 8, 2017, we advised appellant that he had 30 days within which to personally submit any contentions or issues that he wishes to raise on appeal. We received no reply.

We have reviewed the entire record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 126.)

The judgment (order) is affirmed.  
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PERREN, J.

We concur:

YEGAN, Acting P. J.

TANGEMAN, J.

Carlos A. Uranga, Judge  
Michael Villalobos, Judge  
Superior Court County of Los Angeles

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Quinn Law, Stephane Quinn for Defendant and  
Appellant.  
No appearance for Plaintiff and Respondent.