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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

ROBERTO DUARTE,

Defendant and Appellant.

B268072

(Los Angeles County  
Super. Ct. No. MA064491)

APPEAL from a judgment of the Superior Court of Los Angeles County,  
Lisa M. Chung, Judge.

Gideon Margolis, under appointment by the Court of Appeal, for Defendant  
and Appellant.

No appearance for Respondent.

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Appellant is an inmate at a state correctional facility in Lancaster, California. On June 30, 2013, while in a public visiting area, appellant was caught on surveillance camera acting in a manner consistent with concealing an item in a body cavity. After correctional officers searched appellant, they seized a bindle containing 11.425 grams of heroin and 0.797 grams of methamphetamine.

A jury found appellant guilty of possession of a controlled substance, viz., heroin, while in a state prison (Pen. Code, § 4573.6, subd. (a)). After waiving a jury trial on prior allegations, appellant admitted having been convicted of two prior “strikes” within the meaning of the “Three Strikes” law (Pen. Code, §§ 667, subds. (b)-(i), 1170.12, subds. (a)-(d)). The trial court granted appellant’s motion to strike one “strike” pursuant to *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, and sentenced him to serve a total of six years in state prison.

Appellant timely filed a notice of appeal. After examining the record, appointed appellate counsel filed a brief raising no issues, but asking this court to independently review the record on appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436, 441-442. (See *Smith v. Robbins* (2000) 528 U.S. 259, 264.) On June 9, 2016, we advised appellant he had 30 days within which to submit by brief or letter any contentions or argument he wished this court to consider. No response was received.

This court has examined the entire record in accordance with *People v. Wende, supra*, 25 Cal.3d at pages 441-442, and is satisfied appellant’s attorney has fully complied with the responsibilities of counsel, and no arguable issues exist. Accordingly, we affirm the judgment of conviction.

**DISPOSITION**

The judgment is affirmed.

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MANELLA, J.

We concur:

EPSTEIN, P. J.

COLLINS, J.