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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

DERRICK W. BRIDGES,

Defendant and Appellant.

B284425

(Los Angeles County
Super. Ct. No. 7PH01860)

APPEAL from an order of the Superior Court of
Los Angeles County, Jacqueline H. Lewis, Judge. Affirmed.

Heather E. Shallenberger, under appointment by the Court
of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Derrick W. Bridges appeals from an order revoking parole after a contested hearing pursuant to Penal Code section 1237. We affirm the order.

FACTUAL AND PROCEDURAL BACKGROUND

I. Factual background

On April 2, 2017, the defendant, a parolee, and his wife of four years, Tonia Bell, spent the day at the beach. While at the beach, the defendant took pictures on his cell phone, which Bell requested that the defendant send to her. After the couple returned home, Bell realized that she had not received the pictures, so she asked the defendant to send them again. When the defendant claimed to have deleted the pictures, Bell became suspicious that he was intentionally trying to prevent her from posting the photos on social media where they could be seen by his mistress. When Bell attempted to take a photo of the two of them on her cell phone, the defendant knocked the phone out of her hand. Bell reacted by grabbing the defendant's phone. The two struggled over the phone until the defendant punched Bell in the face, causing her to suffer a bloody nose and swollen forehead.

The next day, Bell went to the emergency room to seek medical treatment, where she was diagnosed with a fracture and concussion, and provided with pain medication. She told her treating physician how she received her injuries. She also took photos of them for documentation purposes. She did not call the police at that time because she did not want the defendant to get in trouble.

On April 18, 2017, the defendant and Bell got into another argument. This time, the defendant left the home and drove away after having consumed alcohol. Bell called the police to

report the defendant's possible alcohol impaired driving. When the police arrived, Bell gave a statement regarding the earlier assault.

On May 15, 2017, Bell called the defendant's parole agent to inform him that the defendant was no longer welcome in her home and that she would be changing the locks. When asked for further details, Bell ended up telling the agent about the April 2, 2017 assault, though she expressed that she did not want to prosecute the case.

II. Procedural background

On March 22, 2013, the defendant was released on parole for first degree burglary (Pen. Code, § 459, subd. (a)) and second degree murder (Pen. Code, § 187, subd. (a)).

On March 25, 2013, the defendant signed and agreed to his conditions of parole which included the condition that he not engage in criminal conduct.

On May 18, 2017, the defendant's parole agent filed a Petition for Revocation under case number 7PH01860.

On June 8, 2017, the trial court conducted a probable cause determination hearing wherein the court found probable cause existed to believe that the defendant violated the terms and conditions of parole.

On August 1, 2017, the trial court conducted a contested revocation hearing. After consideration of witness testimony, including Bell's testimony, and the review of exhibits, the court found by a preponderance of the evidence that the defendant violated the terms and conditions of his parole by engaging in criminal conduct, specifically by assaulting his spouse.

On August 2, 2017, the defendant timely filed a notice of appeal.

On January 4, 2018, court-appointed counsel for the defendant filed an opening brief and requested the court to conduct an independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436.

DISCUSSION

After review of the record, appellant's court-appointed counsel filed an opening brief which raised no issues and which asked this court to conduct an independent review of the record, under *People v. Wende, supra*, 25 Cal.3d at p. 441. By letter dated January 4, 2018 we advised appellant that he had 30 days to submit by brief or letter any contentions or argument he wished this court to consider.

We have conducted an independent review of the record and are satisfied appellant's attorney has fully complied with the responsibilities of counsel and no arguable issue exists. (*People v. Kelly* (2006) 40 Cal.4th 106, 126; *People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The order is affirmed.

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DHANIDINA, J.*

We concur:

EDMON, P. J.

LAVIN, J.

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