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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

KEITH LEROY SAXTON,

Defendant and Appellant.

B271012

(Los Angeles County  
Super. Ct. No. MA054852)

THE COURT:\*

Keith Leroy Saxton (defendant) appeals a probation revocation order finding that he violated the conditions of his probation by failing to complete his community labor and failing to complete a drug treatment program as ordered.

In January 2012, defendant was charged with possession of marijuana for sale (Health & Saf. Code, § 11359), and maintaining a place for selling or using marijuana (Health & Saf. Code, § 11366). Defendant pled no contest to the possession

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\* BOREN, P. J., ASHMANN-GERST, J., HOFFSTADT, J.

count, and in exchange the prosecutor agreed to dismiss a 2006 prior strike for robbery (Pen. Code, § 211) and to a grant of probation. In April 2012, consistent with the terms of the plea agreement, the court suspended imposition of sentence and placed defendant on formal probation for three years which included the following conditions: (1) complete a drug treatment and rehabilitation program in cooperation with the probation department; (2) perform and complete 150 days of community labor or graffiti removal; and (3) perform a minimum of six days of community labor per month beginning in May 2012, to facilitate completion within the three-year period.

In February 2015, the court set a probation violation hearing because defendant had completed only 19 days of community labor after having been on probation for 33 months. In April 2015, defendant had completed 27 and a half of the required 150 days of community labor, and the court extended probation for an additional year to enable him to perform the remaining days and to complete his court-ordered drug program. In February 2016, defendant was found to have completed only 46 of the 150 required days of community labor and had not enrolled in a drug program. In March 2016, the court found him in violation of probation, revoked probation, and sentenced him to the midterm of two years to be served in county jail. (See Pen. Code, § 1170, subd. (h)(1).)

We appointed counsel to represent defendant in this appeal. After examining the record, counsel filed a brief raising no issues and seeking our independent review of the record, pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) and *Anders v. California* (1967) 386 U.S. 738. On August 30, 2016, we advised defendant in writing that he had 30 days to submit

any contentions or issues he wished us to consider. No response has been received to date.

The People presented sufficient evidence to support the finding that defendant violated his probation. (Pen. Code, §§ 1203.2, subds. (a), (b)(1), 1203.3, subd. (b), 3000.08, 3010.10; see *People v. Rodriguez* (1990) 51 Cal.3d 437, 447 [burden of proof is preponderance of the evidence].)

We have examined the entire record and are satisfied that defendant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*Wende, supra*, 25 Cal.3d at p. 441.)

The judgment is affirmed.

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