

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

RONDA DENISE SMITH,

Defendant and Appellant.

B234639

(Los Angeles County
Super. Ct. No. PA068785)

APPEAL from a judgment of the Superior Court of Los Angeles County,
Daniel B. Feldstern, Judge. Affirmed.

Richard L. Fitzer, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.

Following the denial of her motion to suppress evidence (Pen. Code, § 1538.5),¹ defendant Rhonda Denise Smith pled no contest to possession of a controlled substance (Health & Saf. Code, § 11377, subd. (a)). The court sentenced her to three years in state prison, concurrent to the two-year sentence previously imposed in Los Angeles Superior Court case No. BA381347, and dismissed the remaining counts and allegations with which she was charged.² She appeals from the denial of her suppression motion. (Pen. Code, § 1538.5, subd. (m).)

The evidence at the suppression hearing showed that on October 14, 2010, Los Angeles Police Detective Jamie McBride was conducting a surveillance, intending to arrest parolee Richard Smith pursuant to a warrant. He observed defendant driving a Honda (a computer check revealed defendant was the owner) with Richard in the passenger seat. Patrol cars came up behind the vehicle. Defendant and Richard appeared to engage in a hand-to-hand exchange, and Richard leaned toward the floorboard as if retrieving an item. Richard had previously been convicted of firearms offenses.

Defendant pulled into a grocery store parking lot, and the patrol cars activated their lights and pulled in behind. The officers had both occupants exit and, with guns drawn, detained them. One officer discovered a gun in the passenger-side door panel of the Honda.

A female officer arrived to perform a pat down of defendant. She asked defendant if she had anything on her. Defendant replied that she had “a quarter

¹ All undesignated section references are to the Penal Code.

² Those counts charged possession for sale of a controlled substance (Health & Saf. Code, § 11378) and sale or transportation of a controlled substance (Health & Saf. Code, § 11379, subd. (a)). It was also alleged that defendant had served three prior prison terms (Pen. Code, § 667.5, subd. (b).)

ounce,” and looked down at her bra. The officer recovered a piece of methamphetamine the size of a golf ball.

Defendant’s court appointed attorney filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436, and asked that we independently examine the record for appellate issues. Counsel filed a declaration stating that he had advised defendant in writing that she could file a supplemental brief with the court, and we notified defendant by letter that she could submit a brief within 30 days. We received no response.

We have independently reviewed the record and are satisfied that no arguable issue exists. Defendant has, by virtue of counsel’s compliance with the *Wende* procedure and our independent review, received effective appellate review of the judgment entered against her. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-279; *People v. Kelly* (2006) 40 Cal.4th 106, 123-124.)

DISPOSITION

The judgment is affirmed.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

WILLHITE, Acting P. J.

We concur:

MANELLA, J.

SUZUKAWA, J.