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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

In re K.S., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

K.S.,

Defendant and Appellant.

B240054

(Los Angeles County
Super. Ct. No. FJ49470)

APPEAL from an adjudication of the Superior Court of Los Angeles County, ,
Robin Sloan Miller, Judge. Affirmed.

Courtney M. Selan, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

K.S. appeals from a juvenile court adjudication finding he had violated Penal Code section 459, declaring the offense to be a felony, and declaring he would remain a ward pursuant to Welfare and Institutions Code section 602.

FACTUAL AND PROCEDURAL SUMMARY

In a prior juvenile matter, appellant admitted to having been a minor in unlawful possession of a concealable firearm in violation of former Penal Code section 12101 (now codified in Pen. Code, § 29610). The offense was declared a felony, appellant was made a ward pursuant to Welfare and Institutions Code section 602, and he was ordered home on probation for a maximum term of three years.

Appellant was still on probation when he committed the current offense a few months later. The victim left her home at 1218 West 38th Street in Los Angeles to go to a nearby market. She locked the doors and closed the windows before she left. On her return fifteen minutes later, she discovered the back door had been broken and the interior ransacked. Gold jewelry, a laptop computer, and cash were taken.

Los Angeles Police Officer Cedric Washington was on duty in south central Los Angeles the same day. He saw appellant and an adult companion, Rudolph Engleton, walk up to the front door of a single family residence. Appellant was wearing a hooded sweatshirt. He knocked on the door while Engleton remained on the sidewalk, looking in all directions. When the inner front door was opened, appellant and Engleton walked away. Based on prior experience with residential burglaries in this area, Officer Washington thought this behavior was suspicious. Typically, burglars wearing hooded sweatshirts would knock on the door of a residence. If someone answered, the burglar would ask for someone, say it was the wrong house, and walk away. If no one answered, they would use a pry bar or kick a door in, or break a window, to gain entry to take property. Believing this was what appellant and Engleton were doing, Officer Washington contacted his other partners and had them set up a loose perimeter around the area. He continued to watch the two until appellant disappeared into the courtyard of the Engleton's residence on 38th Street.

Officer Washington directed another officer to check on the residence at 1218 West 38th street (the victim's home) to see if it had been broken into. He then went to that residence himself and saw that the rear door was damaged and the interior ransacked. Officer Washington and other officers went to Engleton's residence and found the laptop and jewelry taken from the victim's home. He also found receipts with the victim's name on them.

Los Angeles Police Officer Bryan Thayer was involved in setting up the two-block perimeter requested by Officer Washington. He observed appellant walking in an alley in the area. He and Engleton climbed a fence at the rear of the victim's residence. Engleton was holding a screwdriver or crowbar. Ten minutes later, appellant and his companion climbed back over the fence into the alley. The companion was carrying an object that looked like a black computer or similar object. Appellant and the companion were detained by other officers.

Appellant testified in his own behalf. He testified that on the relevant day, he was riding his bike to do some errands. A red Camaro driven by an unknown woman drove up, with Engleton in the front passenger seat. Engleton told appellant to put the bicycle in his yard so he could give appellant a ride to do his errands. Appellant did so and got into the Camaro. Police officers stopped the car as they drove. He denied going into anyone else's house that day.

The court found the allegations of the petition true and sustained the burglary count. The court ordered that appellant was to remain a ward of the court under Welfare and Institutions Code section 602, with a maximum period of confinement of six years, eight months. Care, custody and control of appellant was placed with probation for camp community placement. All prior orders in the earlier probation were to remain in effect.

Appellant filed a timely notice of appeal.

DISCUSSION

We appointed counsel to represent appellant on appeal. Appointed counsel filed an appellate 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. We advised appellant that he had 30 days within which to submit by brief or letter any contentions or arguments he wished this court to consider. No response was received.

We have independently reviewed the record in accordance with *People v. Wende*, *supra*, 25 Cal.3d at pp. 441–442, and find no arguable issues that could aid appellant.

DISPOSITION

The judgment is affirmed.

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EPSTEIN, P. J.

We concur:

WILLHITE, J.

MANELLA, J.