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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.

LAN THI HOANG,

Defendant and Appellant.

B234999

(Los Angeles County
Super. Ct. No. BA368572)

THE COURT:*

Defendant and appellant, Lan Thi Hoang, appeals from a finding that she is incompetent to stand trial. Initially, an information filed by the Los Angeles County District Attorney charged appellant with seven counts of recording a false or forged document. (Pen. Code, § 115, subd. (a).) At an October 28, 2010 hearing in which appellant represented herself, the trial court declared a doubt as to appellant's competence. (Pen. Code, § 1368.) The trial court appointed two experts to examine appellant pursuant to Evidence Code section 730; they split in their opinion as to whether she was competent to stand trial. On the basis of the reports, the trial court found that appellant was not mentally competent to stand trial in that she was unable to understand

* BOREN, P. J., DOI TODD, J., CHAVEZ, J.

the nature of the proceedings against her and to rationally assist counsel in the conduct of her defense. The trial court committed her to Patton State Hospital.

Following appellant's hospital admission in January 2011, hospital staff submitted a report opining that appellant could be returned to court as competent to stand trial pursuant to Penal Code section 1372 and filed a certificate of mental competence. Having read and considered the hospital report, the trial court found appellant competent to stand trial and reinstated the criminal proceedings in March 2011. At that point, appellant requested and this Court entered the dismissal of an appeal challenging the original competency determination.

Before trial was set to begin at the end of April 2011, appellant's counsel declared a doubt as to appellant's mental competence, identifying several instances of appellant's behavior which led her to question appellant's competency. On the basis of counsel's statements, the trial court declared it had a reasonable doubt about appellant's competency, suspended the criminal proceedings and appointed two doctors to evaluate appellant's mental competency.

At a June 2011 hearing, after the trial court admitted into evidence and the parties submitted on both doctors' reports, the trial court ruled that appellant "is not presently mentally competent to stand trial within the meaning of Penal Code section 1368, and that she is not able to understand the nature of the proceedings taken against her, and is not able to assist counsel in the conduct of a defense in a rational manner." The trial court remanded appellant to the sheriff, who was directed to deliver her to the care and custody of the State Department of Mental Health for placement in Patton State Hospital. On the basis of the reports, the trial court further found that medication would likely render appellant competent to stand trial and issued an order authorizing her to be involuntarily medicated as prescribed by her treating psychiatrist.

Appellant timely filed a notice of appeal, and we appointed counsel to represent her on this appeal. After examination of the record, counsel filed an opening brief which contained an acknowledgement that he had been unable to find any arguable issues. On

March 9, 2012, we advised appellant that she had 30 days within which to personally submit by brief or letter any contentions or arguments that she wished us to consider. On March 26, 2012, appellant filed a request demanding the appointment of a new trial attorney. We deny the request. Thereafter, on April 6, 2012, appellant filed a supplemental brief and attachments which primarily challenged the involuntary medication order.

We have examined the entire record, including the doctors' reports, and are satisfied that appellant's attorney has fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.) In particular, in determining that appellant may be involuntarily medicated, the trial court made findings in accordance with Penal Code sections 1370, subdivision (a)(2) and 1370.01, subdivision (a)(2), that were supported by the doctors' reports.

The competency order is affirmed.

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