

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS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 This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.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 EIGHT

THE PEOPLE OF THE STATE
OF CALIFORNIA,

Plaintiff and Respondent,

v.

WOODY VAINQUEUR,

Defendant and Appellant.

B288344

(Los Angeles County
Super. Ct. No. BA458977)

APPEAL from a judgment of the Superior Court of Los Angeles County, Stephen A. Marcus, Judge. Affirmed.

Michelle T. Livecchi-Raufi for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

INTRODUCTION

Defendant Woody Vainqueur appeals the trial court's restitution order following his conviction for assault with a deadly weapon. Appointed counsel on appeal filed an opening brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). We affirm.

FACTS AND PROCEDURAL BACKGROUND

On November 30, 2017, defendant was convicted of assault with a deadly weapon, pursuant to Penal Code section 245, subdivision (a)(1). On January 16, 2018, the court conducted a restitution hearing. The People sought \$7,726 in restitution for the victim. This amount was for a medical bill, lost wages, and damage sustained to the victim's glasses, clothes, and phone.

The victim testified at the hearing and described his damages and injuries. The victim explained how the injuries he sustained from defendant have inhibited his ability to work. The People also introduced a "Disability Statement for Income Loss Authorization" filled out by the victim's treating physician, a letter from defendant's former employer stating his weekly pay, emails between the victim and his former employer wherein the victim stated he could not come back to work due to his injuries, and medical reports from the medical center and clinic where he received treatment. At the conclusion of the hearing, the court ordered defendant to pay \$7,150 in restitution to the victim.

On February 20, 2018, defendant filed a timely notice of appeal. On May 23, 2018, his appointed counsel filed a brief pursuant to *Wende, supra*, 25 Cal.3d 436, in which no issues were raised. The brief included a declaration from counsel that she reviewed the record and sent defendant a letter advising him that

such a brief would be filed and that he could file a supplemental brief if he chose to. That same day, this court sent defendant a letter advising him that a *Wende* brief had been filed and that he had 30 days to submit a brief raising any issues he wanted us to consider. Defendant did not file a supplemental brief.

DISPOSITION

We have examined the entire record and are satisfied that defendant's attorney fully complied with her responsibilities and that no arguable issues exist. (*Smith v. Robbins* (2000) 528 U.S. 259; *Wende, supra*, 25 Cal.3d 436.). We affirm the judgment.

RUBIN, J.

WE CONCUR:

BIGELOW, P. J.

GRIMES, J.