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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

JAMES PATRICK JOHNSON,

Defendant and Appellant.

2d Crim. No. B291093  
(Super. Ct. No. 17F-06343)  
(San Luis Obispo County)

In July 2017, two men were skateboarding at a school. After one of the men did a backflip, James Patrick Johnson threatened to kill him. The two men walked away. Johnson followed and made punching gestures with his arms.

The prosecution charged Johnson with making criminal threats. (Pen. Code,<sup>1</sup> § 422.) Johnson's attorney declared a doubt as to his competency, and the trial court suspended criminal proceedings. (§ 1368.) When proceedings resumed, the prosecution amended the complaint to add a charge

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<sup>1</sup> All further statutory references are to the Penal Code.

of assault with force likely to cause great bodily injury. (§ 245, subd. (a)(4).) Johnson pled guilty to the assault charge. The court suspended imposition of sentence, and ordered Johnson to serve three years of formal probation.

Johnson requested and obtained a certificate of probable cause from the trial court. (§ 1237.5.) His notice of appeal alleges that he caused no great bodily injury and that police lied about aspects of the case.

We appointed counsel to represent Johnson in this appeal. After counsel examined the record, he filed an opening brief that raises no arguable issues. On October 30, 2018, we advised Johnson by mail that he had 30 days within which to submit any contentions or issues he wished us to consider. We have not received a response.

We have reviewed the entire record and are satisfied that Johnson's attorney fully complied with his responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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TANGEMAN, J.

We concur:

GILBERT, P. J.

YEGAN, J.

Craig B. Van Rooyen, Judge

Superior Court County of San Luis Obispo

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Richard B. Lennon, under appointment by the Court  
of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.