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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.

PABLO JIMENEZ MORENO,

Defendant and Appellant.

2d Crim. No. B276246  
(Super. Ct. Nos. 2012035796,  
2016013456)  
(Ventura County)

Pablo Jimenez Moreno appeals the judgment entered after he pled guilty to charges brought in two separate cases. In 2012, appellant was found in possession of heroin while housed in the Ventura County Jail. He subsequently pled guilty in Ventura County Case No. 2012035796 to transporting drugs (Health & Saf. Code,<sup>1</sup> § 11352, subd. (a)) and admitted allegations that he had suffered a prior strike conviction (Pen. Code, §§ 667, subds.

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<sup>1</sup> Statutory references are to the Health and Safety Code unless otherwise stated.

(c)(1) & (e)(1), 1170.12, subds. (a)(1) & (c)(1)) and had served three prior prison terms (§ 667.5, subd. (b)).

After granting appellant's *Romero*<sup>2</sup> motion, the trial court imposed a seven-year prison sentence, stayed its execution, and placed appellant on probation with terms and conditions including that he serve a year in county jail followed by a year of residential drug treatment.

Appellant failed to appear and a warrant was issued. After his arrest on the warrant, the police searched him and found heroin and methamphetamine. More heroin and a scale were found during a search of his residence. He subsequently pled guilty in Ventura County Case No. 2016013456 to possessing heroin and methamphetamine for sale (§§ 11351, 11378) and admitted allegations identical to those he admitted in the 2012 case.

The court vacated the stay of execution in the 2012 case and ordered appellant to serve the previously imposed seven-year prison term. In the 2016 case, the court imposed a sentence of four years and eight months (consisting of one year for possessing heroin for sale, eight months for possession methamphetamine for sale, and one year for each of the three prison priors) and ordered it to run consecutive to the sentence imposed in the 2012 case.<sup>3</sup>

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<sup>2</sup> *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497.

<sup>3</sup> In each case, the court also ordered appellant to pay a lab fee (§ 11372.5) that included \$150 in penalty assessments, and a drug program fee (§ 11372.7, subd. (a)) that included \$450 in penalty assessments. After the notice of appeal was filed, the trial court granted appellant's motion to strike the penalty assessments on the ground that the subject fees are not subject to

We appointed counsel to represent appellant in this appeal. After counsel's examination of the record, he filed an opening brief raising no issues.

On December 8, 2016, we advised appellant by mail that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. We have not received a response.

We have reviewed the entire record 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.)

The judgment is affirmed.

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PERREN, J.

We concur:

GILBERT, P. J.

YEGAN, J.

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such assessments. (See *People v. Moore* (2015) 236 Cal.App.4th Supp. 10, 15-18; *People v. Watts* (2016) 2 Cal.App.5th 223, 230-237.)

Bruce A. Young, Judge  
Superior Court County of Ventura

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California Appellate Project, Jonathan B. Steiner and  
Richard B. Lennon, under appointment by the Court of Appeal,  
for Defendant and Appellant.

No appearance for Plaintiff and Respondent.