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IN THE COURT OF APPEAL OF THE STATE OF
CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

ANTHONY DWAYNE
THOMPSON,

Defendant and Appellant.

B278142

(Los Angeles County
Super. Ct. No. YA024289)

APPEAL from a judgment of the Superior Court of Los Angeles County. Steven R. Van Sicklen, Judge. Affirmed.

Stephen Borgo, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

On August 19, 2016, defendant and appellant Anthony Thompson filed a petition to have his 1995 conviction of possession of cocaine base for the purpose of sale (Health & Saf. Code, § 11351.5) reduced to a misdemeanor pursuant to Proposition 47 (Pen. Code, § 1170.18.) The trial court denied the petition on the ground defendant was ineligible for relief, because Proposition 47 does not apply to defendant's conviction offense. Defendant filed a timely notice of appeal.

This court appointed counsel to represent defendant on appeal. Appointed counsel filed a brief raising no issues, but requesting this court to independently review the entire appellate record for arguable contentions under *People v. Wende* (1979) 25 Cal.3d 436. This court advised defendant of his right to file a supplemental brief within 30 days. No supplemental brief has been received, and the time for filing has elapsed.

We have completed our review of the record on appeal. There are no arguable appellate contentions. Proposition 47 specifies the offenses that may be reduced to a misdemeanor. Health and Safety Code section 11351.5 is not one of the designated offenses. The trial court properly denied defendant's petition. The *Wende* brief filed by appellate counsel satisfies his obligation of representing defendant on

an appeal that is devoid of merit. (*Smith v. Robbins* (2000)
528 U.S. 259, 277–278.)

The judgment is affirmed.

KRIEGLER, Acting P.J.

We concur:

BAKER J.

DUNNING, J.*

* Judge of the Orange Superior Court, assigned by the
Chief Justice pursuant to article VI, section 6 of the
California Constitution.