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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.

JORGE GUTIERREZ,

Defendant and Appellant.

B255304

(Los Angeles County  
Super. Ct. No. LA045870)

APPEAL from an order of the Superior Court of Los Angeles County, Richard H. Kirschner, Judge. Dismissed.

Christa Hohmann and Jill Ishida, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant, Jorge Gutierrez, purports to appeal from an order denying his request for appointment of counsel pursuant to Penal Code section 1405, subdivision (b)(1). We noted his appeal may be moot. We have a duty to raise issues concerning our jurisdiction on our own motion. (*Jennings v. Marralle* (1994) 8 Cal.4th 121, 126; *Olson v. Cory* (1983) 35 Cal.3d 390, 398.) We thus issued an order to show cause concerning possible dismissal of the appeal and placed the matter on calendar.

On March 5, 2014, the trial court denied defendant's appointment of counsel request. Subsequently, in addition to appealing, defendant filed a March 21, 2014 habeas corpus petition. On June 18, 2014, we issued an order to show cause returnable in the trial court directed at the appointment of counsel issue. (*In re Gutierrez* (June 18, 2014, B255055) [nonpub. order].) On June 19, 2014, in compliance with our order to show cause, the trial court appointed counsel, Christa Hohmann, to represent defendant pursuant to Penal Code section 1405, subdivision (b)(1). Thus, defendant's appeal is now moot in that Ms. Hohmann has now been appointed to represent him. (*Eye Dog Foundation v. State Board of Guide Dogs for the Blind* (1967) 67 Cal.2d 536, 541; *Mercury Interactive Corp. v. Klein* (2007) 158 Cal.App.4th 60, 77-78.)

The appeal is dismissed.

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TURNER, P. J.

We concur:

KRIEGLER, J.

MINK, J.\*

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\* Retired judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.