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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

ROBERT DAVID VILLALOBOS,

Defendant and Appellant.

B258317

(Los Angeles County
Super. Ct. No. NA098987)

APPEAL from a judgment of the Superior Court of Los Angeles County, Arthur Jean, Jr., Judge. Affirmed.

Rachel Varnell, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

After she was awakened by some noises around 2:30 a.m., Monica Vasquez discovered Robert David Villalobos inside the garage of her family home. Villalobos was arrested and charged with first degree burglary with a person present (Pen. Code, §§ 459, 667.5, subd. (c)(21)) with a special allegation he had served three prior prison terms for felonies within the meaning of Penal Code section 667.5, subdivision (b).

Villalobos was convicted of burglary as charged. In a bifurcated proceeding Villalobos admitted the special allegation. The trial court sentenced Villalobos to the upper term of six years in state prison and dismissed the prior prison term enhancements.

We appointed counsel to represent Villalobos on appeal. After examination of the record, counsel filed an opening brief in which no issues were raised. On December 8, 2014 we advised Villalobos he had 30 days within which to personally submit any contentions or issues he wished us to consider. We have received no response.

We have examined the record and are satisfied Villalobos's appellate attorney has fully complied with the responsibilities of counsel and no arguable issue exists. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The judgment is affirmed.

PERLUSS, P. J.

We concur:

ZELON, J.

IWASAKI, J.*

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