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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

MARVIN ARANGO,

Defendant and Appellant.

B296797

(Los Angeles County
Super. Ct. No. YA091573)

APPEAL from a judgment of the Superior Court of Los Angeles County, Laura C. Ellison, Judge. Affirmed.

Ann Krausz, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Conforming to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), Arango's counsel filed an opening brief containing a statement of facts but raising no issues. Counsel asks this court to review the record independently and to determine whether any arguable issues exist on appeal. Arango did not submit a supplemental brief. We have reviewed the entire record and find no arguable issues exist. We affirm.

All citations are to the Penal Code, unless otherwise specified.

I

Arango robbed and attempted to rob several pharmacies to obtain money and prescription drugs for sale. At the time of arrest, Arango and his co-defendant had hydrocodone in their possession.

Arango was charged with second degree robbery (counts 5, 6, 7), attempted second degree robbery (counts 1, 2), possession for sale of a controlled substance (count 3), and transportation of a controlled substance (count 4). It was alleged Arango had suffered a prior strike conviction and that he had a prior conviction pursuant to section 667, subdivision (a)(1). On May 26, 2015, Arango pleaded no contest as charged. Arango admitted his prior strike conviction and section 667, subdivision (a)(1) enhancement.

Arango was sentenced to 13 years in state prison. The trial court imposed the mid-term of three years on count 5, doubled due to Arango's prior strike, and a consecutive five years for the section 667, subdivision (a)(1) enhancement. The court imposed an additional two years for count 6. The court stayed the sentence on the remaining offenses pursuant to section 654.

The trial court imposed a \$300 restitution fine and a \$300 parole revocation fine. Arango stipulated to \$6,074.58 in victim restitution.

On February 25, 2019, Arango filed, as self-represented, a petition for modification of restitution. Arango argued the trial court improperly imposed the victim restitution amount because: 1) the court incorrectly assumed Arango could pay the fine; 2) the fine caused a hardship; 3) the fine was based on a predetermination of Arango's ability to pay an amount in excess of the minimum \$200 fine; and 4) the fine violated federal and state law. This petition was denied.

II

Arango filed a notice of appeal on March 25, 2019. We appointed counsel to represent Arango and his counsel filed a *Wende* brief. Counsel declared she reviewed the record. Counsel wrote to Arango explaining her evaluation of the record. Counsel further declared she advised Arango of his right under *Wende* to submit a supplemental brief.

Arango did not file a supplemental brief.

We have examined the entire record of the proceedings consisting of the clerk's transcript and are satisfied that appointed counsel fully complied with her responsibilities in assessing whether any colorable appellate issues exist. There are no arguable appellate issues. (*People v. Kelly* (2006) 40 Cal.4th 106; *Wende, supra*, 25 Cal.3d 436.)

DISPOSITION

The judgment is affirmed.

WILEY, J.

We concur:

BIGELOW, P. J.

STRATTON, J.