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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re Christian W., a Person Coming  
Under the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTIAN W.,

Defendant and Appellant.

D084689

(Super. Ct. No. J245326)

APPEAL from a dispositional order of the Superior Court of San Diego County, Richard R. Monroy, Judge. Affirmed.

Matthew Johnson, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance from Plaintiff and Respondent.

In October 2023, a petition was filed in Juvenile Court under Welfare and Institutions Code section 602 alleging Christian W. (the Minor) committed various crimes. In April 2024, the Minor admitted a violation of

corporal injury to a cohabitant (Pen. Code,<sup>1</sup> § 273.5, subd. (a)) and grand theft (§ 487, subd. (a)).

At a disposition hearing on April 26, 2024, the Minor was adjudged a ward of the court.

The Minor was ordered to stay away from the victim and not use drugs. Following reports of the Minor's alleged violations, the court held an evidentiary hearing. The court found the Minor had violated the terms of his probation. The court committed him to the Urban Camp program for a period not to exceed 130 days.

The Minor filed a timely notice of appeal.

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 indicating counsel has not been able to identify any arguable issues for reversal on appeal. Counsel asks the court to independently review the record for error as mandated by *Wende*. We advised the Minor of his right to file his own brief on appeal, but he has not responded.

#### STATEMENT OF FACTS

Appellate counsel has provided a brief but useful summary of the facts discussed at the evidentiary hearing. We will incorporate the summary into this opinion.

At the violation of probation hearing on July 15, 2024, Probation Officer Adame stated that the home supervision team had noticed the victim right down the street from the Minor's house as they were leaving the Minor's house and confronted him about it. Officer Adame described a second interaction they had with the Minor where they stated that the Minor and the victim were communicating. She also stated that home supervision team

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1 Statutory references are to the Penal Code unless otherwise specified.

had seen the Minor walk past the home supervision officers and communicate with the victim. The Minor denied any communication with the victim.

Officer Adame also testified that the Minor had taken a drug test on June 3, 2024, and it had been positive for THC. When defense counsel questioned her about the second violation, Officer Adame stated that she did not know what machine was used or the name of the person who administered the test or that person's qualifications.<sup>2</sup>

## DISCUSSION

As we have noted, counsel has filed a *Wende* brief and asks the court to independently review the record for error. To assist the court in its review, and in compliance with *Anders v. California* (1967) 386 U.S. 738, counsel has identified two possible issues which were considered in evaluating the potential merits of this appeal:

1. Whether the court abused its discretion when it denied the defense motion to exclude all statements regarding the THC drug test.
2. Whether the court erred in permitting the probation officer to testify about the home supervision team seeing the Minor contacting the victim.

We have independently reviewed the record for error as required by *Wende* and *Anders*. We have not discovered any arguable issues for reversal on appeal. Competent counsel has represented the Minor on this appeal.

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<sup>2</sup> Based on this, the defense requested that all statements of the THC test be excluded. This request was denied.

## DISPOSITION

The order is affirmed.

HUFFMAN, J.\*

WE CONCUR:

McCONNELL, P. J.

CASTILLO, J.

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\* Retired Associate Justice of the Court of Appeal, Fourth Appellate District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.