

CERTIFIED FOR PUBLICATION
COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION ONE
STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

KENT JAMES,

Defendant and Appellant.

D057527

(Super. Ct. No. SCD225061)

ORDER TO MODIFY OPINION

[No Change in Judgment]

THE COURT:

It is ordered that the opinion filed herein on June 24, 2011, be modified as follows:

The text of footnote 2 (on page 4 of the slip opn.) is deleted, and replaced with the following text:

The Legislature amended Penal Code section 4019 again, effective September 28, 2010. (Pen. Code, § 4019, subds. (b), (c) & (f), as amended by Stats. 2010, ch. 426, § 2.) However, because James was sentenced in April 2010, the short-lived (Jan. 25 to Sept. 28, 2010) version of section 4019 governs his entitlement to conduct credits. The subsequent references in this opinion to section 4019 are to that version of the statute.

There is no change in the judgment.

NARES, Acting P. J.

Copies to: All parties