

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Sacramento)

THE PEOPLE,

Plaintiff and Respondent,

v.

JASPER DWIGHT BRANNER,

Defendant and Appellant.

C059288

(Super.Ct.No.
04F11213)

ORDER MODIFYING
OPINION AND DENYING
REHEARING; NO CHANGE
IN JUDGMENT

THE COURT:

It is ordered that the opinion filed in this case on
December 17, 2009, be modified as follows:

On page 4, lines 9-10, delete the words "there was probable
cause" and substitute the words "it was reasonable" so that the
lines read:

Today, the search and seizure are deemed unlawful, unless it
was reasonable to believe the car contained evidence of the offense

This modification does not change the judgment.

The petition for rehearing is denied.

FOR THE COURT:

_____ SCOTLAND _____, P. J.

_____ NICHOLSON _____, J.

_____ ROBIE _____, J.