

CERTIFIED FOR PARTIAL PUBLICATION*

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSE GONZALEZ SANCHEZ,

Defendant and Appellant.

H035075
(Santa Cruz County
Super. Ct. No. F17818)

ORDER MODIFYING OPINION
AND DENYING REHEARING

[CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on March 23, 2011, be modified as follows:

1. On page 2, 1st full paragraph, replace the last sentence with the following sentence: “Consequently, we reverse and remand for possible retrial of the special firearm allegation.”

2. On page 11, replace the heading for section B with: “B. The Special Firearm Allegation”

3. On page 25, 1st incomplete paragraph, last line, replace the word “verdict.” with the word “finding.”

* Pursuant to California Rules of Court, rules 8.1105(b) and 8.1110, this opinion is certified for publication with the exception of sections IIIA, IIIC, and IIID.

4. On page 37, replace the two sentences in the disposition with the following two sentences: “The judgment is reversed and remanded for possible retrial of the section 12025, subdivision (b)(6) allegation. If the prosecution does not elect to retry that allegation, the court shall reduce the section 12025 count to a misdemeanor and resentence defendant.”

These modifications affect the judgment. The petition for rehearing is denied.

Mihara, Acting P. J.

I CONCUR:

Duffy, J.

People v. Sanchez
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