

CERTIFIED FOR PARTIAL PUBLICATION

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

THE PEOPLE,

Plaintiff and Respondent,

v.

HALSTON LAW,

Defendant and Appellant.

C063221

(Super. Ct. No.
07F05651)

MODIFICATION
OF OPINION
[NO CHANGE IN
JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on May 20, 2011, be modified as follows:

The second paragraph on page 15 is deleted and replaced with the following paragraph:

As we have already noted, the bullet and Officer Landberg's testimony provided evidence that was relevant and probative in showing that defendant used a firearm in robbing Richards. That the evidence may not have been strong does not require that it be excluded. Evidence must only be relevant; it need not be overwhelmingly persuasive. As the California Supreme Court has

held: “Evidence is relevant when no matter how weak it may be, it tends to prove the issue before the jury.” (People v. Freeman (1994) 8 Cal.4th 450, 491, citing People v. Slocum (1975) 52 Cal.App.3d 867, 891.)

This modification does not change the judgment.

THE COURT:

NICHOLSON, Acting P. J.

HULL, J.