

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIFTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

BRIAN CLIFFORD BEATY,

Defendant and Appellant.

Consolidated Case Nos.
F055868/F056467

(Super. Ct. No. CRF24200)

**ORDER MODIFYING OPINION
[NO CHANGE IN JUDGMENT]**

THE COURT:

Pursuant to the request filed by appellant on February 4, 2010, and for good cause shown, this court's opinion filed on January 28, 2010, in the above-entitled matter is hereby modified as follows:

The first sentence of the first paragraph in the section entitled "Procedural And Factual Histories," located at page two of the opinion, shall read: "In 2007, appellant Brian Clifford Beaty was convicted of transporting and possessing methamphetamine in violation of"

This modification does not effect a change in the judgment.

Wiseman, J.

WE CONCUR:

Vartabedian, Acting P.J.

Gomes, J.