

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

JACK PETER VALOV,

Plaintiff and Appellant,

v.

DEPARTMENT OF MOTOR VEHICLES,

Defendant and Respondent.

B175665

(Los Angeles County Super. Ct.
No. BS087908)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT:*

It is ordered that the opinion filed herein on September 20, 2005, and certified for partial publication be modified in the following particulars:

On the title page, the last full paragraph is deleted and the following paragraph is inserted in its place:

Bill Lockyer, Attorney General, Jacob Appelsmith, Senior Assistant Attorney General, Elizabeth Hong and Brian D. Vaughan, Deputy Attorneys General, for Defendant and Respondent.

On page 4, line 6, the name "Joe M. Barrett" is changed to "Joe M. Barnett." In lines 7, 11, and 23, reference to the name "Barrett" is changed to "Barnett."

At the top of page 15, the sentence beginning with “Section 12500 requires” is deleted and the following is inserted in its place: “In 2003, section 12500, subdivision (a) required” After the word “required,” add as footnote 9 the following footnote, which will require renumbering of all subsequent footnotes:

⁹ The Legislature’s amendments to the statute in 2004 do not affect our findings. Section 12500, subdivision (a) now provides: “A person may not drive a motor vehicle upon a highway, unless the person then holds a valid driver’s license issued under this code”

There is no change in the judgment.

KRIEGLER, J.

TURNER, P. J.

ARMSTRONG, J.