

**IN THE SUPREME COURT OF
CALIFORNIA**

In re RICARDO P., a Person Coming Under the Juvenile Court
Law.

THE PEOPLE,
Plaintiff and Respondent,
v.
RICARDO P.,
Defendant and Appellant.

S230923

First Appellate District, Division One
A144149

Alameda County Superior Court
SJ14023676

ORDER MODIFYING OPINIONS

THE COURT:

The majority opinion in this case, filed on August 15, 2019, is modified as follows:

1. The second complete sentence in the first paragraph on page 7 of the slip opinion presently provides: “We hold that the condition does not satisfy *Lent’s* third prong because, on the record before us, the

burden it imposes on Ricardo’s privacy is substantially disproportionate to the countervailing interests of furthering his rehabilitation and protecting society.”

This sentence is modified to provide as follows:

“We hold that the condition satisfies *Lent*’s third prong and is therefore invalid under the *Lent* test because, on the record before us, the burden it imposes on Ricardo’s privacy is substantially disproportionate to the countervailing interests of furthering his rehabilitation and protecting society.”

2. The first complete sentence in the first paragraph on page 8 of the slip opinion presently provides: “But even accepting these premises, we conclude that the electronics search condition here does not satisfy *Lent*’s third prong because the burden it imposes on Ricardo’s privacy is substantially disproportionate to the condition’s goal of monitoring and deterring drug use.”

This sentence is modified to provide as follows:

“But even accepting these premises, we conclude that the electronics search condition here satisfies *Lent*’s third prong, such that the condition is invalid under *Lent*, because the burden it imposes on Ricardo’s privacy is substantially disproportionate to the condition’s goal of monitoring and deterring drug use.”

These modifications do not affect the judgment.

The concurring and dissenting opinion in this case, filed on August 15, 2019, is modified as follows:

1. The first sentence in the first paragraph on page 9 of the concurring and dissenting slip opinion presently provides: “*Lent’s* third prong is satisfied here.”

This sentence is modified to provide as follows:

“The electronics search condition before us fails *Lent’s* third prong because the condition has a reasonable relationship to Ricardo’s reformation and rehabilitation.”

2. The first complete sentence in the first paragraph on page 15 of the concurring and dissenting slip opinion presently provides: “It concludes that the electronics search condition here ‘does not satisfy *Lent’s* third prong because, on the record before us, the burden it imposes on Ricardo’s privacy is substantially disproportionate to the countervailing interests of furthering his rehabilitation and protecting society.’”

This sentence is modified to provide as follows:

“It concludes that the electronics search condition here ‘satisfies *Lent’s* third prong and is therefore invalid under the *Lent* test because, on the record before us, the burden it imposes on Ricardo’s privacy is substantially disproportionate to the countervailing interests of furthering his rehabilitation and protecting society.’”