

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE,)	
)	
Plaintiff and Respondent,)	
)	S181963
v.)	
)	Ct.App. 3 C056510
JAMES LEE BROWN III,)	
)	Lassen County
Defendant and Appellant.)	Super. Ct. No. CR024002
_____)	

MODIFICATION OF OPINION

THE COURT:

The opinion in this case, filed on June 18, 2012, and appearing at 54 Cal.4th 314, is modified as follows:

On page 321, the last sentence of the first paragraph on the page is modified to read:

“Accordingly, the Legislature’s reference in section 59 to ‘time credits’ must have been to credits determined and awarded by the CDCR, namely postsentence credits earned in state prison, such as the credits mandated by the same act retroactive to July 1, 2009, for inmates trained as firefighters and not assigned to conservation camps. (§ 2933.3, subs. (b), (d), as amended by Stats. 2009, 3d Ex. Sess., 2009-2010, ch. 28, § 41.)”

This modification does not affect the judgment.
The petition for rehearing is denied.
California Appellate Project’s request for modification of the opinion is denied.