

CERTIFIED FOR PARTIAL PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

JESSE LEE SYKES,

Defendant and Appellant.

B168042

(Los Angeles County
Super. Ct. No. BA229844)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT:*

It is ordered that the opinion filed herein on July 28, 2004, be modified as follows:
on page 16, line 20, following the words “held that *Apprendi* does” the word “not” is
added before the word “apply” so the sentence reads:

In this respect, we are in full accord with the numerous courts that have held that
Apprendi does not apply to the decision to impose consecutive sentences.

No change in judgment.

*TURNER, P.J.

GRIGNON, J.

ARMSTRONG, J.