Filed 5/2/12 In re A.N. CA1/1

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

In re A.N., a Person Coming Under the Juvenile Court Law.	
THE PEOPLE, Plaintiff and Respondent, v. A.N., Defendant and Appellant.	A133685 (Contra Costa County Super. Ct. No. J11-00575)

MEMORANDUM OPINION*

Defendant A.N. pleaded no contest to second degree burglary and unlawful taking of a vehicle. The juvenile court made him a ward of the court and placed him on probation, conditioned on a six-month commitment to the Orin Allen Youth Rehabilitation Facility, a county institution. The court imposed a number of additional probation conditions, including a condition that defendant is "not to use or possess burglary tools or graffiti materials." Defendant contends this probation condition is unconstitutionally vague and overbroad because it does not give him fair notice of what items he may or may not use or possess.

* We resolve this case by a Memorandum Opinion pursuant to California Standards of Judicial Administration, Standard 8.1.

A juvenile court has broad discretion to impose probation conditions, which may be broader than those imposed for adult offenders. (*In re R.V.* (2009) 171 Cal.App.4th 239, 246–248.) The test for unconstitutional vagueness and overbreadth is whether or not the probation condition is "sufficiently precise for the probationer to know what is required of him, and for the court to determine whether the condition has been violated." (*People v. Reinertson* (1986) 178 Cal.App.3d 320, 324–325; see *In re E.O.* (2010) 188 Cal.App.4th 1149, 1153.)

Defendant is represented by, and has the advice of, counsel who can explain the following modification to his client, if necessary. To prevent any confusion or misunderstanding defendant may have regarding which items he may or may not possess or use, we hereby modify the probation condition to state that defendant "may not use or possess burglary tools as carefully defined by Penal Code section 466 or graffiti materials as described and defined by Penal Code section 594.2." A copy of the modified version should be transmitted to defendant.

As modified, the judgment is affirmed.

_____
Marchiano, P.J.

We concur:

_____
Margulies, J.

_____
Banke, J.