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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yolo)

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In re A.L., a Person Coming Under the Juvenile Court Law.

C077217

THE PEOPLE,

(Super. Ct. Nos. JD 13-327 & JD 14-119)

Plaintiff and Respondent,

v.

A.L.,

Defendant and Appellant.

The minor, A.L., contends the juvenile court erred by imposing an excessive restitution fine. The People agree the fine imposed exceeds the statutory maximum fine of \$100, as established by Welfare and Institutions Code section 730.6, subdivision (b)(2).<sup>1</sup> We concur and reduce the fine.

<sup>1</sup> Undesignated statutory references are to the Welfare and Institutions Code.

We dispense with a detailed recitation of the facts as they are unnecessary to the resolution of this appeal. Suffice it to say that, in case No. JD 13-327, the minor admitted committing misdemeanor theft or unauthorized use of a vehicle (Veh. Code, § 10851, subd. (a)), and, in case No. JD 14-119, the minor admitted misdemeanor burglary (Pen. Code, § 459). The juvenile court declared the minor to be a person described by section 602, i.e., a ward of the court, placed him on probation, and ordered him to pay restitution in the amount of \$1,250 in case No. JD 13-327 and in an amount to be determined in case No. JD 14-119. Additionally, the juvenile court imposed a restitution fine in the amount of \$165.

Section 730.6, subdivision (b)(2) provides that where a minor is found to be a person described in section 602 as a result of the commission of a misdemeanor offense, the trial court must impose a restitution fine set at its discretion in an amount not to exceed \$100. Here, the juvenile court imposed a restitution fine in excess of \$100, making it an unauthorized sentence. (See *People v. Valenzuela* (2009) 172 Cal.App.4th 1246, 1248-1249 [a fine imposed in excess of the statutorily authorized amount is an unauthorized sentence and may be modified by the reviewing court on appeal].) Therefore, we reduce the fine to the statutory maximum of \$100.

#### DISPOSITION

The restitution fine is reduced to \$100 pursuant to section 730.6, subdivision (b)(2). As modified the order of the juvenile court is affirmed.

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NICHOLSON, Acting P. J.

We concur:

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HULL, J.

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RENNER, J.