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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

HECTOR GARCIA,

Defendant and Appellant.

G051465

(Super. Ct. No. 09WF1043)

O P I N I O N

Appeal from an order of the Superior Court of Orange County, Steven D. Bromberg, Judge. Affirmed.

Christine Vento, under appointment by the Court of Appeal, for Defendant and Appellant.

Kamala D. Harris, Attorney General, Gerald A. Engler, Chief Assistant Attorney General, Julie L. Garland, Assistant Attorney General, Arlene A. Sevidal, Deputy Attorney General, for Plaintiff and Respondent.

Hector Garcia appeals from a resentencing order following a prior appeal. He argues the court again violated Penal Code section 654 by imposing sentence for kidnapping during a carjacking and kidnapping to commit robbery. We rejected this same argument in his prior appeal, because substantial evidence supported the separate punishment. (*People v. Garcia* (May 21, 2014, G047638) [nonpub. opn].)

The doctrine of the law of the case mandates the same result in this appeal. (*People v. Jurado* (2006) 38 Cal.4th 72, 94; *People v. Gray* (2005) 37 Cal.4th 168, 197.) Although there are exceptions (*People v. Stanley* (1995) 10 Cal.4th 764, 787), Garcia has not asserted any basis to conclude this is an exceptional case. We will, however, correct three undisputed clerical errors in the abstract of judgment identified by the parties.

DISPOSITION

The order is affirmed. The clerk of the Orange County Superior Court is directed to: strike the sentences for the gang enhancement (Pen. Code, § 186.22, subd. (b)(1)) attached to count 5; and for the great bodily injury enhancement (Pen. Code, § 12022.7, subd. (a)) attached to count 7; award Garcia 2036 actual days, plus 183 conduct credits, for 2,219 total custody credits; and forward a copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.

THOMPSON, J.

WE CONCUR:

MOORE, ACTING P. J.

ARONSON, J.