

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

KEITH CHUNG,

Defendant and Appellant.

B212210

(Los Angeles County
Super. Ct. No. SA064964)

ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on June 3, 2010, be modified as follows:

1. On page 2, third paragraph, delete the last two sentences which state:
“Both dogs had suffered head trauma. The live dog on the patio was euthanized by a veterinarian later that morning.” Insert in their place the following three sentences:
“The dog in the refrigerator was frozen solid. It died of blunt force trauma that caused fracturing of the liver and tears in the lung tissue which led to bleeding inside the chest and abdominal cavity. The live dog on the patio had suffered extensive head trauma and was euthanized by a veterinarian later that morning.”
2. On page 5, lines 5 and 6, delete the last sentence of the first full paragraph which commences with the words: “When other officers arrived”
3. On page 8, line 7, delete “was being beaten and perhaps tortured” and substitute therefore “was in danger and perhaps was being tortured.”

4. On page 10, second full paragraph, second sentence, delete the word “warrantless” so the sentence reads: “*Quakenbush* involved the seizure of a dog”

5. On page 12, last full paragraph, insert “her fear that” and delete “and possibly torturing” in the second sentence so that it reads: “Here, unlike the neglected animal in *Thornton*, Lee reported her fear that Chung actively was abusing a dog.”

[There is no change in the judgment.]

Appellant’s petition for rehearing is denied.