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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

THE PEOPLE,
Plaintiff and Respondent,
v.
WILLIAM C. RODARMEL,
Defendant and Appellant.

A108083
(Lake County
Super. Ct. No. LP28527.01)

Defendant was charged with one count of lewd conduct on a child by force (Pen. Code, § 288, subd. (b)(1).)¹ Pursuant to a negotiated disposition, he pleaded guilty to one count of lewd conduct on a child (§ 288, subd.(a).) The court sentenced defendant to the midterm of six years in state prison and imposed a restitution fine and a fine pursuant to section 290.3, as well as \$480 of related penalty assessments. Defendant contends on appeal that \$140 of the \$480 penalty assessment was imposed in error, as it was assessed pursuant to amendments to two California code sections,² which did not go into effect until after the crime of which defendant was convicted was committed.

The Respondent concedes the error and agrees that \$140 should be struck from the penalty assessment total. We accept the concession.

¹ All further section references are to the penal code unless otherwise indicated.

² Penal Code section 1465.7 and Government Code section 70372.

The penalty assessments are reduced to \$340. The trial court shall prepare an amended abstract of judgment reflecting the change and forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Sepulveda, J.

We concur:

Kay, P.J.

Rivera, J.