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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

RICKY WHITE,

Defendant and Appellant.

B229271

(Los Angeles County
Super. Ct. No. BA298229)

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

THE COURT:

It is ordered that the opinion filed herein on August 17, 2012, be modified as follows:

On page 8, in footnote 3, in the final line the citation to *People v. Abel* (2012) 53 Cal.4th 891, 929 is deleted and the following citation is inserted in its place: *Clark v. Optical Coating Laboratory, Inc.* (2008) 165 Cal.App.4th 150, 174.)

There is no change in the judgment.

Appellant's petition for rehearing is denied.