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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.

CEBERINO MARQUEZ PEREZ,

Defendant and Appellant.

B236417

(Los Angeles County

Super. Ct. No. BA370983)

ORDER MODIFYING OPINION
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on November 29, 2012, be modified as follows:

1. On page 22, footnote 8 under the heading “VII. Instructional error” is deleted.
2. On page 22, line 16, after the last sentence of the first full paragraph, ending “social worker’s testimony was harmless,” add as footnote 8 the following footnote:

“Although respondent argues that defendant forfeited this issue on appeal, it was not. Defense counsel’s argument that the evidence was a “prior statement” was sufficient to preserve the issue for appeal.

[There is no change in the judgment.]