

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Placer)

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THE PEOPLE,  
  
Plaintiff and Respondent,  
  
v.  
  
MYRON WAYNE DANIEL,  
  
Defendant and Appellant.

C063859

(Super. Ct. No.  
72-005202)

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

THE COURT:

It is ordered that the opinion filed herein on May 24, 2012, be modified as follows:

Omit the last sentence in the last full paragraph on page 3 and replace with the following sentence:

Parkman also assumed defendant would use Elmer's credit card to pay for materials and Parkman would write defendant checks for his time.

This modification does not change the judgment.  
The petition for rehearing is denied.

THE COURT:

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NICHOLSON, Acting P. J.

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ROBIE, J.

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MAURO, J.