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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

RONALD BISHOP,

Petitioner,

v.

THE SUPERIOR COURT OF
RIVERSIDE COUNTY,

Respondent;

THE PEOPLE,

Real Party in Interest.

E064579

(Super.Ct.No. INF1300615)

OPINION

ORIGINAL PROCEEDINGS; petition for writ of prohibition/mandate. Charles Everett Stafford, Jr., Judge. Granted in part, denied in part.

Dennis P. O'Connell for Petitioner.

No appearance for Respondent.

Michael A. Hestrin, District Attorney, Emily R. Hanks, Deputy District Attorney,
for Real Party in Interest.

After full review of the record and having received a partial concession by the People, the Court now rules as follows: the petition for writ of prohibition/mandate is granted with respect to counts 3 and 4. Let a peremptory writ of prohibition/mandate issue, directing the Superior Court of Riverside County to vacate its order denying petitioner's motion to dismiss counts 3 and 4 of the information, and to enter a new order granting the motion in that respect. In all other respects the petition is denied.

Petitioner is directed to prepare and have the peremptory writ of prohibition/mandate issued, copies served, and the original filed with the clerk of this court, together with proof of service on all parties.

The previously ordered stay is lifted.

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CODRINGTON
J.

We concur:

McKINSTER
Acting P. J.

KING
J.