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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

DANIEL EUGENE WATSON,

Defendant and Appellant.

G044416

(Super. Ct. No. 10CF1411)

ORDER MODIFYING OPINION
AND DENYING PETITION FOR
REHEARING; NO CHANGE IN
JUDGMENT

It is ordered the opinion filed on June 27, 2012, be modified in the following particulars:

1. On page 12, at the end of the third full paragraph, the second to the last sentence of that paragraph currently reads, "Since there was only one defense attorney, the reference could not have been a personal denigration, but had to be a reference to what the prosecutor was entitled to characterize as a disingenuous defense." The sentence shall now read "Given the common usage that refers to the other side of a lawsuit as "they," we do not believe the reference could reasonably have been understood to be a personal denigration, but was rather clearly a reference to what the prosecutor was entitled to characterize as a questionable defense."

This modification does not effect a change in the judgment.
The petition for rehearing is DENIED.

BEDSWORTH, ACTING P. J.

WE CONCUR:

ARONSON, J.

FYBEL, J.