

Filed 10/1/04

CERTIFIED FOR PUBLICATION  
COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION ONE  
STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

FLAVIO ALCANTARA OCHOA,

Defendant and Appellant.

D042215m

(Super. Ct. No. SCD167401)

ORDER DENYING PETITIONS FOR  
REHEARING AND REQUEST TO  
TO DEPUBLISH

[NO CHANGE IN JUDGMENT]

THE COURT:

The parties' petitions for rehearing and Attorney Roger Jon Diamond's request to depublish the opinion in this case are denied.

The opinion filed herein on September 2, 2004, is modified as follows:

Page 18, line 10, delete rule 406(a) and replace with rule 4.406.

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McCONNELL, P. J.

Copies to: All parties