

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

In re JOSEPH CALDERON,  
  
on Habeas Corpus.

A125831

(City & County of San Francisco  
Super. Ct. No. 5911)

**ORDER MODIFYING OPINION  
AND DENYING REHEARING  
[CHANGE IN JUDGMENT]**

**THE COURT:**

It is ordered that the published opinion filed herein on May 12, 2010, be modified as follows:

1. On page 1, in the third paragraph at the bottom of the page, the word “rescission” should be changed to “reversal.”
2. On page 13, in the last paragraph at the bottom of the page, the word “rescission” should be changed to “reversal.”
3. On page 19, in the last sentence of the second full paragraph, the words “As applied to Calderon” should be deleted; the last sentence shall now read: “This reasoning has no support in the record.”
4. On page 24, footnote 7, in the second sentence of the footnote, the word “rescinding” should be changed to “reversing.”
5. On page 25, the sentence within parentheses mid-page, should be modified to read: “(As earlier noted, in 2009 Governor Schwarzenegger was presented 454

- cases for review and action; he reversed 285, affirmed none, modified 2, requested en banc rulings from the Board in 49, and declined to review 118.<sup>8</sup>)”
6. On page 26, the final sentence and citation in the Disposition (regarding early finality) should be deleted.

The last modification, which alters the Disposition, changes the judgment.  
Respondent’s petition for rehearing is denied.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Kline, P.J.