

Filed 8/28/08

CERTIFIED FOR PUBLICATION
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

LAWRENCE CHARLES PEARSON,

Defendant and Appellant.

2d Crim. No. B198805
(Super. Ct. No. GA066064-01)
(Los Angeles County)

ORDER MODIFY OPINION AND
DENYING REHEARING
(No Change In Judgment)

THE COURT:

It is ordered that the opinion filed herein on July 30, 2008, be modified as follows:

On page 6, first full paragraph, delete the third sentence, beginning with the words "We hold" and ending with the words "by designed wrongdoing" and insert in its place the following:

We conclude that a defendant is estopped from seeking refuge under the jeopardy umbrella where he has procured an 1118.1 judgment by designed wrongdoing.

Appellant's petition for rehearing is denied.

No change in judgment.