

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

GIOVANNI CHRISTOPHER WILLIAMS,

Defendant and Appellant.

B152020

(Los Angeles County
Super. Ct. No. MA021318)

**ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]**

THE COURT:

It is ordered that the opinion filed herein on October 8, 2002, be modified as follows:

(1) On page 2, second paragraph, second sentence, replace the last phrase of the sentence “so he could hear the witness and communicate with his counsel” with “so he could hear the witness’s testimony” such that the sentence now reads as follows: The videotape played for the jury was recorded while the witness was in the courtroom and examined and cross-examined by counsel, and while appellant was in a detention cell wired so he could hear the witness’s testimony.

(2) On page 12, third paragraph, delete the third sentence and replace with the following sentence: Defense counsel was able to go to the detention cell and confer with appellant before ending his cross-examination.

(3) On page 14, line 5, delete the quotation marks around the word “impossible” so the sentence reads as follows: The court was properly concerned for the well-being of Dawn after hearing testimony from her treating psychotherapist and physician that it was impossible for her to testify in the presence of appellant without suffering dangerous ill effects, both mental and physical.

(4) On page 14, second full paragraph, second sentence, insert the word “certain” before the word “prior” so that sentence reads as follows: The public policy of protecting abuse victims and making their testimony or statements available to the trier of fact is manifested in Evidence Code section 1370, which allows certain prior statements of abuse victims to be admitted into evidence when the victim is unavailable under Evidence Code section 240.

(5) Page 16, footnote 3, last sentence, insert the word “as” before the word “given” the first time it appears in the sentence, so the sentence reads as follows: It is to be treated the same as any other testimony as given by any other witness given in court.

This modification does not effect a change in judgment.

Appellant’s Petition for Rehearing is denied.