

**CERTIFIED FOR PUBLICATION**

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

THE PEOPLE,

Plaintiff and Respondent,

v.

KEITH L. WHITE,

Defendant and Appellant.

B166502

(Los Angeles County  
Super. Ct. No. VA072175)

ORDER MODIFYING OPINION

THE COURT:\*

It is ordered that the opinion filed herein on October 14, 2005, be modified as follows:

On page 8, the second full paragraph: (1) lines 1 and 2, delete “derived from former section 288b enacted in 1967”; and (2) line 8, delete “see Stats. 1967, ch. 1551, § 3, p. 3722,” so the paragraph now reads:

The first modern version of section 288a, subdivision (c) contained no subparagraphs and simply provided that “[a]ny person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he, or who has compelled the participation of another person in an act of oral copulation by force, violence, duress, menace, or *threat of great bodily harm*, shall be punished by imprisonment in the state prison for a period not less than three years.” (Stats. 1975, ch. 877, § 2, p. 1958, italics added.)

This modification does not constitute a change in the judgment.

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\*EPSTEIN, P.J.

HASTINGS, J.

CURRY, J.