

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(San Joaquin)

OCTAVIO BARRIGA,

Petitioner,

v.

THE SUPERIOR COURT OF SAN JOAQUIN
COUNTY,

Respondent;

THE PEOPLE,

Real Parties in Interest.

C068063

(Super. Ct. No. SF116624A)

MODIFICATION OF OPINION

(CHANGE IN JUDGMENT)

ORIGINAL PROCEEDING, William D. Johnson, Judge. Petition
for writ of prohibition granted.

Harry E. Hudson, Jr., for Petitioner.

No appearance for Respondent.

Kamala D. Harris, Attorney General, Michael P. Farrell,
Senior Assistant Attorney General, R. Todd Marshall and A. Kay
Lauterbach, Deputies Attorney General, for Real Party in
Interest.

THE COURT:

The opinion of this court filed May 30, 2012, in the above
entitled case is modified as follows:

On page 16, delete the paragraph immediately following the heading "DISPOSITION" and insert the following paragraph in its place:

The petition is granted. Let a peremptory writ of prohibition issue directing the respondent court to refrain from any further proceedings against petitioner Octavio Barriga in San Joaquin Superior Court Case no. SF116624A. Barriga shall recover his costs in this proceeding. (Cal. Rules of Court, rule 8.493(a).)

On page 16, replace Justice Raye with Justice Robie as the author of the opinion.

This modification affects the judgment.

BLEASE, Acting P. J.

HULL, J.

ROBIE, J.