

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

RUDY JESSE IBARRA,

Defendant and Appellant.

F050331

(Super. Ct. Nos. F05908393-2,
F03900766-7)

**MODIFICATION OF OPINION
[NO CHANGE IN JUDGMENT]**

THE COURT:

It is ordered that the opinion herein filed on November 13, 2007, be modified as follows:

Beginning with the first full paragraph on page 17 and continuing through the end of section 13 on page 20, all references to "CALJIC" should be changed to "CALCRIM".

This modification does not effect a change in the judgment.

Gomes, J.

WE CONCUR:

Harris, Acting P.J.

Wiseman, J.