

**IN THE SUPREME COURT OF
CALIFORNIA**

THE PEOPLE,
Plaintiff and Respondent,

v.

JOE EDWARD JOHNSON,
Defendant and Appellant.

S029551

Sacramento County Superior Court
58961

**ORDER MODIFYING OPINION AND
DENYING PETITION FOR REHEARING**

THE COURT:

The majority opinion in this case, filed on November 25, 2019, and appearing at 8 Cal.5th 475, is modified as follows:

1. The first sentence of the third full paragraph on page 494 presently reads: “At a pretrial hearing on June 12, trial counsel indicated that they were ready to proceed with trial as scheduled.” This sentence is modified to read as follows:

At a discovery sanctions hearing on June 12, the court confirmed the scheduled June 22 trial date, and counsel for both parties indicated that they anticipated proceeding with pretrial motions on that date.

2. The last sentence of the second full paragraph on page 501 presently reads: “Meanwhile, trial counsel advised the court on June 12 that they were ready to proceed with trial as scheduled.” This sentence is modified to read as follows:

Meanwhile, trial counsel advised the court on June 12 that they intended to adhere to the existing trial schedule.

This modification does not affect the judgment.

The petition for rehearing is denied.