

CERTIFIED FOR PARTIAL PUBLICATION

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

THE PEOPLE,

Plaintiff and Respondent,

v.

THOMAS JOE SHADDEN,

Defendant and Appellant.

F048765

(Super. Ct. No. BF108307A)

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

THE COURT:

IT IS ORDERED that the partially published opinion filed herein on April 24, 2007, be modified in the following particulars. (The page numbers referenced in this order are based on the pagination in the hard copy of the original opinion filed in the clerk's office, a copy of which is attached to this order for reference.)

Page 12: Delete the third sentence of the second full paragraph (beginning "In an attempt to support this"). Replace it with the following two sentences:

In an attempt to support this notion, defendant cites a Court of Appeal case dealing with police searches of premises with the consent of one co-occupant. That situation is not comparable to the facts here.

The petition for rehearing is denied. Except for the modification set forth, the opinion previously filed remains unchanged. The modification does not alter the judgment.

Wiseman, J.

WE CONCUR:

Vartabedian, Acting P.J.

Hill, J.