

**IN THE SUPREME COURT OF CALIFORNIA**

|                           |   |                         |
|---------------------------|---|-------------------------|
| THE PEOPLE,               | ) |                         |
|                           | ) |                         |
| Plaintiff and Respondent, | ) |                         |
|                           | ) | S057156                 |
| v.                        | ) |                         |
|                           | ) |                         |
| CHARLES EDWARD CASE,      | ) |                         |
|                           | ) | Sacramento County       |
| Defendant and Appellant.  | ) | Super. Ct. No. 93F05175 |
| _____                     | ) |                         |

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

THE COURT:

The opinion in this matter filed May 31, 2018, and appearing at 5 Cal.5th 1, is modified as follows:

The final sentence at the end of the first paragraph on page 45 — which currently states, “In any event, the argument fails on its merits.” — is deleted. The following sentence is inserted to start the subsequent paragraph on page 45:

To the extent defendant raises a challenge on an issue other than credibility, the argument fails on its merits.

In the last sentence of the first full paragraph on page 45, the word “convincingly” is inserted between the words “not” and “explain.” The sentence now reads:

Defendant says that “[d]emonstrating that Reed did not know about the inconsistencies between Langford’s and Webster’s testimony was important to

appellant's defense that Webster framed appellant," but does not convincingly explain why that is so.

The modification does not affect the judgment.

The petition for rehearing is denied.