

Filed 11/22/10 In re Shaputis CA4/1
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NOT TO BE PUBLISHED IN OFFICIAL REPORTS

COURT OF APPEAL - FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re RICHARD SHAPUTIS

on

Habeas Corpus.

D056825

(San Diego County
Super. Ct. No. HC18007)

ORDER MODIFYING OPINION

NO CHANGE IN JUDGMENT

THE COURT:

The petition for rehearing, filed November 19, 2010, is treated as a request for modification. It is ordered that the opinion filed herein on November 17, 2010, be modified as follows:

In the first sentence of the Disposition, the number "30" is changed to "60" so the sentence reads:

The BPH shall vacate its decision finding Shaputis unsuitable for parole and conduct a new parole suitability hearing within 60 days of the issuance of the remittitur in this matter, in accordance with due process of law and consistent with the decision of this court and the principles of res judicata.

There is no change in the judgment.

Copies to: All parties

NARES, Acting P. J.