

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF ALAMEDA

Date: May 17, 2011

Hon. **Judge Gloria Rhynes**, Presiding Judge  
Judge Jon Tigar  
Judge John True

DEPT. 01  
Shay Ryans, Deputy Clerk  
Not Reported, Reporter

**People of the State of California**

Counsel appearing  
for Plaintiff

Plaintiff/Respondent

VS

No Appearance

Counsel appearing  
for Defendant

 **Kung**

Defendant/Appellant

No Appearance

**NATURE OF PROCEEDINGS:**

**RULING RE:**  
PETITION FOR REHEARING  
ON APPEAL

**Action No.**  
**Trial Court**  
FHJ

**5113**  
**50608153**

Appellant's petition for rehearing, filed on April 25, 2011, is GRANTED.

IT IS ORDERED that the court's decision of April 11, 2011 is vacated.

IT IS FURTHER ORDERED that the matter be placed on the appellate division's May 25, 2011 calendar for decision. The court's tentative ruling is to issue a new and different order reversing the defendant's conviction. If no party requests oral argument, the court will adopt its tentative ruling and issue such an order.

Copies of this minute order mailed this date: May 19, 2011

  
In Pro Per

  
APPELLANT'S ATTORNEY

Catherine Kobal, DDA  
District Attorney's Office  
1225 Fallon St. 9<sup>th</sup> Floor  
Oakland, CA. 94612  
RESPONDENT'S ATTORNEY

CC: FHJ/ Traffic