

District of Columbia  
Court of Appeals

No. 95-CF-1464

THOMAS JOHNSON, JR.,  
Appellant,  
F768-93

Nos. 96-CF-459 and 99-CO-38

PATRICK L. BAUCUM,  
Appellant,  
F13028-92

v.

UNITED STATES,  
Appellee.

BEFORE: Terry, Farrell, and Washington, Associate Judges.

**ORDER**

(Filed June 19, 2003)

On consideration of the petition of appellant Baucum for rehearing, and of appellee's opposition thereto, it is

ORDERED that the petition is granted, but only to the extent that footnote 4 of the opinion in this case, reported at 820 A.2d 551 (the footnote appears on page 559), is amended to read as follows:

<sup>4</sup> Nor can appellants claim that, even if portions of the prior statement were admissible as an identification, the trial court nonetheless erred in permitting the government to place other portions of the statement before the jury. To be understandable and therefore probative, an identification must have context, and the circumstances of Heard's identification which the jury learned about from his prior statement were relevant to

the identification. *See Porter v. United States*, No. 97-CF-134, slip op. at 14-15 (D.C. June 19, 2003).

PER CURIAM