

**IN THE SUPREME COURT OF CALIFORNIA**

THE PEOPLE,	)	
	)	
Plaintiff and Respondent,	)	
	)	S186661
v.	)	
	)	Ct.App. 4/1 D054613
SETH CRAVENS,	)	
	)	San Diego County
Defendant and Appellant.	)	Super. Ct. No. SCD206917
_____	)	

**MODIFICATION OF OPINION**

THE COURT:

The opinion in this matter filed on January 30, 2012, and appearing at 53 Cal.4th 500, is modified as follows:

1. On page 508, the sentence in the last partial paragraph beginning with the words, "Witnesses testified that just before," is modified by changing the words, "Witnesses testified" to "There was testimony."

2. On page 512, the disposition is modified to read as follows: "The judgment of the Court of Appeal is reversed to the extent it ordered modification of the second degree murder conviction, and the matter is remanded to that court for further proceedings consistent with this opinion."

This modification affects the judgment.