

**IN THE SUPREME COURT OF CALIFORNIA**

STEPHEN L. COOLEY, )  
as District Attorney, etc., )  
) )  
Petitioner, )  
) )  
v. )  
) )  
THE SUPERIOR COURT OF LOS )  
ANGELES COUNTY, )  
) )  
Respondent, )  
) )  
PAUL MARENTEZ, )  
) )  
Real Party in Interest. )  
\_\_\_\_\_ )

S094676  
Ct.App. 2/5 B1433330  
Los Angeles County  
Super. Ct. No. ZM002909

**BY THE COURT:**

**MODIFICATION OF OPINION**

The opinion herein, filed on November 25, 2002, appearing at 29 Cal.4th 228, is modified as follows:

1. In the first sentence of the first full paragraph on page 256, after the words “the probable cause hearing” the following is added: “if such evidence has been presented.”

2. The last sentence of the second full paragraph on page 256 is modified to read: “We hold, therefore, that the superior court at the probable cause hearing

must also consider any evidence of the offender's amenability to voluntary treatment in determining whether the potential SVP poses a *serious and well-founded risk* of committing sexually violent predatory criminal acts upon release.”

This modification does not affect the judgment.