

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE,)	
)	
Plaintiff and Respondent,)	
)	S056425
v.)	
)	
RICHARD ALLEN DAVIS,)	
)	
Defendant and Appellant.)	Santa Clara County
)	Super. Ct. No. 186000

BY THE COURT:

MODIFICATION OF OPINION

The opinion herein, filed on June 1, 2009, and appearing at 46 Cal.4th 539, is modified as follows:

Immediately after the sentence on the bottom of page 595 that states, “Under these extraordinary circumstances, Sergeant Meese’s inquiry did not violate the high court’s decisions in *Miranda, supra*, 384 U.S. 436, and *Edwards, supra*, 451 U.S. 477,” the following sentence is added: “And, contrary to defendant’s contention in his petition for rehearing, nothing in the United States Supreme Court’s recent decision in *Montejo v. Louisiana* (2009) 544 U.S. ____ [129 S. Ct. 2079] compels a different conclusion.”

This modification does not affect the judgment.