

## IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE,	)	
	)	
Plaintiff and Respondent,	)	
	)	S156775
v.	)	
	)	Ct.App. 5 F050212
JESSIE JOSE RAMIREZ,	)	
	)	Madera County
Defendant and Appellant.	)	Super. Ct. No. MCR021366
_____	)	

### MODIFICATION OF OPINION

#### THE COURT:

The opinion filed February 26, 2009, and published at \_\_ Cal.4th \_\_, is modified by deleting the following two sentences from footnote 4: “An enhancement for participation in a criminal street gang (§ 186.22, subd. (b)(1)) applied to all but the child endangerment conviction. This enhancement was based on testimony that defendant was a member of a criminal street gang, that gang members confers status through acts of violence, and that killing a police officer achieves the highest status.”

This modification does not affect the judgment.