

## IN THE SUPREME COURT OF CALIFORNIA

RANDOLPH CLIFTON KLING,	)	
	)	
Petitioner,	)	
	)	S176171
v.	)	
	)	Ct.App. 2/6 B208748
THE SUPERIOR COURT	)	
OF VENTURA COUNTY,	)	
	)	
Respondent;	)	Ventura County
	)	Super. Ct. No. 2005045185
THE PEOPLE,	)	
	)	
Real Party in Interest.	)	
_____	)	

### THE COURT:

#### MODIFICATION OF OPINION

The opinion filed October 18, 2010, published at 50 Cal.4th 1068, is modified as follows:

1. On page 1080, insert the following new footnote 3 at the end of the second full paragraph:

“3/ We recommend that the Judicial Council review the relevant rules of court to determine whether any revisions might be appropriate or helpful in light of our decision in the present case.”

2. The final sentence on page 1080 is modified to read: “Kling is correct that this proceeding does not present an opportunity for ‘expansive proclamations

regarding implementation of Marsy's Law,' but we do agree with the People that a victim's right to notice of a third party subpoena would be consistent with the prosecution's right to due process."

This modification does not affect the judgment.