

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE,)	
)	
Plaintiff and Respondent,)	
)	S015381
v.)	
)	
TRACEY LAVELL CARTER,)	
)	Los Angeles County
Defendant and Appellant.)	Super. Ct. No. A950222
_____)	

MODIFICATION OF OPINION

THE COURT:

The opinion herein, appearing at 30 Cal.4th 1166, is modified as follows:

The second sentence of the second full paragraph on page 1194 is revised to read:

“Although evidence of a defendant’s gang membership creates a risk the jury will improperly infer the defendant has a criminal disposition and is therefore guilty of the offense charged—and thus should be carefully scrutinized by trial courts—such evidence is admissible when relevant to prove identity or motive, if its probative value is not substantially outweighed by its prejudicial effect.

(People v. Williams (1997) 16 Cal.4th 153, 193.)”

The modification does not affect the judgment.