

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE,)	
)	
Plaintiff and Respondent,)	
)	S122744
v.)	
)	Ct.App. 6 H025674
DEVANCE SAUNDERS,)	
)	Santa Clara County
Defendant and Appellant.)	Super. Ct. No. CC246493
_____)	

MODIFICATION OF OPINION

THE COURT:

The opinion in the above-entitled case, filed on June 29, 2006, and appearing at 38 Cal.4th 1129, is hereby modified as follows:

In the second sentence of the first full paragraph on page __ [page 3 of the filed opinion], delete “asked” and replace it with “ordered” so that the sentence reads: “Consequently, the officers ordered both men to get out of the truck.”

This modification does not affect the judgment.