

United States Court of Appeals For the First Circuit

No. 09-1020

TITO ABRANTE,

Petitioner, Appellant,

v.

PETER ST. AMAND,

Superintendent at MCI-Cedar Junction,

Respondent, Appellee.

ERRATA SHEET

The opinion of the court issued on February 3, 2010, is amended as follows:

Delete the first paragraph of footnote 6 on page 8 of the opinion. Replace it with the following text:

Abrante's only evidence that police did anything other than ask Maldonado and Melendez whether Abrante had already discussed his case with them is the testimony of defense investigator Philip Kass. Kass testified that he had two conversations with Maldonado: the first, which lasted about "five minutes or so," was without an interpreter. Kass ended that conversation after Maldonado told him that he would be more comfortable with an interpreter. According to Kass, in that first conversation, Maldonado told him that police had told Maldonado that they could help him with his case if he would talk with them about Abrante. When Kass spoke with Maldonado again two days later, with the help of an interpreter, Maldonado made no such statement.