

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE,)	
)	
Plaintiff and Respondent,)	
)	S179181
v.)	
)	Riverside County
MICHAEL RAY BURGNER,)	Super. Ct. No. CR 18088
)	
Defendant and Appellant.)	
_____)	

**ORDER MODIFYING OPINION AND
DENYING PETITION FOR REHEARING**

THE COURT:

The opinion in this case, filed on August 11, 2016, and appearing at 1 Cal.5th 461, is modified as follows:

The citation following the first sentence of the final paragraph on page 474 of 1 Cal.5th, which currently reads “(See *People v. Engram* (2010) 50 Cal.4th 1131, 1161 [116 Cal.Rptr.3d 762, 240 P.3d 237] [‘a statute must be construed, if reasonably possible, in a manner that avoids a serious constitutional question’].)” is replaced with the following: (See *Loeffler v. Target Corp.* (2014) 58 Cal.4th 1081, 1102 [“we avoid resolving constitutional questions if the issue may be resolved on narrower grounds”].)

This modification does not affect the judgment.

The petition for rehearing is denied.