

**IN THE SUPREME COURT OF CALIFORNIA**

THE PEOPLE,	)	
	)	
Plaintiff and Respondent,	)	
	)	S099549
v.	)	
	)	
MICHAEL AUGUSTINE LOPEZ,	)	
	)	Alameda County
Defendant and Appellant.	)	Super. Ct. No. H28492A
_____	)	

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

THE COURT:

The opinion in this matter filed June 28, 2018, and appearing at 5 Cal.5th 339, is modified as follows:

In the first sentence of the second full paragraph on page 353, the following words are deleted: “that a competency ruling under Evidence Code section 701 was not sufficient and.” As modified, the sentence will now read: “We reject Lopez’s argument that the trial court was required to hold a hearing under Evidence Code section 702.”

The modification does not affect the judgment.

The petition for rehearing is denied.