

LAW OFFICE OF CLIFF GARDNER
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February 18, 2020

Mr. Jorge Navarrete
California Supreme Court
Office of the Clerk
350 McAllister Street
San Francisco, CA 94102

Re: *People v. Miles*, S086234

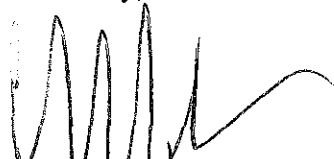
Dear Mr. Navarrete:

I represent appellant Johnny Miles in the above captioned case. The case has been calendered for argument on March 3, 2020.

At oral argument I plan to focus on (1) the prosecutor's decision to strike all the African-American prospective jurors from the jury (presented as Argument I in Appellant's Opening Brief, Argument I in Appellant's Reply Brief and as the sole argument in appellant's supplemental briefing) and (2) the trial court's admission of eyewitness testimony in the penalty phase which defendant could not fully confront or rebut because the state had destroyed the rebuttal evidence (presented as Argument X in Appellant's Opening Brief and Argument VII in Appellant's Reply Brief).

If you have any questions, or need any additional information, please feel free to contact me.

Sincerely,



Cliff Gardner

CERTIFICATE OF SERVICE

I, the undersigned, declare as follows:

I am a citizen of the United States, over the age of 18 years and not a party to the within action. My business address is 1448 San Pablo Avenue, Berkeley, California 94702.

On February 18, 2020, I served the within

LETTER OF FEBRUARY 18, 2020

upon the parties named below by depositing a true copy in a United States mailbox in Berkeley, California, in a sealed envelope, postage prepaid, and addressed as follows:

Mr. Johnny Duane Miles, H-80153
San Quentin State Prison
San Quentin, California 94974

and upon the parties named below by submitting an electronic copy through TrueFiling:

Seth M. Friedman, Deputy Attorney General
Office of the Attorney General
600 W. Broadway, Suite 1800
San Diego, California 92102-3375
Seth.Friedman@doj.ca.gov

California Appellate Project
101 2nd Street, Suite 600
San Francisco, California 94105
Filing@capsf.org

I declare under penalty of perjury that the foregoing is true. Executed on February 18, 2020, in Berkeley, California



Declarant

STATE OF CALIFORNIA
Supreme Court of California**PROOF OF SERVICE**STATE OF CALIFORNIA
Supreme Court of CaliforniaCase Name: **PEOPLE v. MILES (JOHNNY
DUANE)**Case Number: **S086234**

Lower Court Case Number:

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **casetris@aol.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
LETTER	S086234_LTR_Miles

Service Recipients:

Person Served	Email Address	Type	Date / Time
Cliff Gardner Law Offices of Cliff Gardner 93782	casetris@aol.com	e-Serve	2/18/2020 3:12:55 PM
Office Office Of The Attorney General Court Added	sdag.docketing@doj.ca.gov	e-Serve	2/18/2020 3:12:55 PM
Seth Friedman Office of the State Attorney General 186239	Seth.Friedman@doj.ca.gov	e-Serve	2/18/2020 3:12:55 PM
California Appellate Project	Filing@capsf.org	e-Serve	2/18/2020 3:12:55 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

2/18/2020

Date

/s/Max Atchison

Signature

Gardner, Cliff (93782)

Last Name, First Name (PNum)

Law Offices of Cliff Gardner

Law Firm