

October 18, 2018

Jorge Navarrete, Clerk  
California Supreme Court  
Automatic Appeals Unit  
350 McAllister St.  
San Francisco, CA 94102

**Re: People v. Jamelle Armstrong S126560**

Dear Sir,

Please allow this to serve as the focus for my November 7, 2018 oral argument in Sacramento in the above matter.

My focus will be on Argument II, the *Batson/Wheeler* issue. It will be appellant's position that this is a "Stage 3" *Batson* case. Further, it is appellant's position that the prosecutor exercised all four challenges to the black, male black jurors (a recognizable group) in an unconstitutionally, racially motivated way.

I will spend the vast majority of my 45-minute allowed time on this issue, reserving 10 of these minutes for rebuttal. There is a chance that I will dedicate 5 minutes to Argument I, the *Witt* issue, arguing that the trial court made 8 improper excusals for cause of jurors who were not substantially impaired by their personal beliefs to vote for the death penalty.

I am filing this letter with you through Truefiling and serving both CAP and the Attorney General likewise.

Thank you for your attention in this matter.

cc: G. Russell, Esq (electronic)  
Attorney General (electronic)  
Jamelle Armstrong (mailed)

Respectfully submitted,

Signed

Glen Niemy

DECLARATION OF SERVICE

I, Glen Niemy do hereby swear under the penalty of perjury that on October 18, 2018, I did mail a copy of this Focus Letter to Jamelle Armstrong by placing it in a prepaid stamped envelope and mailing it to the below address

Jamelle Armstrong  
V44422  
San Quentin State Prison  
San Quentin CA 949074

Sworn to October 18, 2018 at Salem,. MASS.

Signed

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Glen Niemy

STATE OF CALIFORNIA  
Supreme Court of California**PROOF OF SERVICE**STATE OF CALIFORNIA  
Supreme Court of CaliforniaCase Name: **PEOPLE v. ARMSTRONG (JAMELLE  
EDWARD)**Case Number: **S126560**

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: **gniemy@yahoo.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	Focus Letter

Service Recipients:

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Attorney General - Los Angeles Office Ms. Yun K. Lee, Deputy Attorney General LAG	yun.lee@doj.ca.gov	e-Service	10/18/2018 8:52:47 AM
Attorney General - Los Angeles Office Ms. Yun K. Lee, Deputy Attorney General LAG	yun.lee@doj.ca.gov	e-Service	10/18/2018 8:52:47 AM
Geraldine Russell Attorney at Law 69352	russlaw@cox.net	e-Service	10/18/2018 8:52:47 AM
Geraldine Russell Attorney at Law 69352	russlaw@cox.net	e-Service	10/18/2018 8:52:47 AM
Glen Niemy Glen Niemy, Professional Corporation 73646	gniemy@yahoo.com	e-Service	10/18/2018 8:52:47 AM
Glen Niemy Attorney at Law 73646	gniemy@yahoo.com	e-Service	10/18/2018 8:52:47 AM
Yun Lee CA Attorney General's Office - Los Angeles 222348	yun.lee@doj.ca.gov	e-Service	10/18/2018 8:52:47 AM
Yun Lee CA Attorney General's Office - Los Angeles 222348	yun.lee@doj.ca.gov	e-Service	10/18/2018 8:52:47 AM

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.

10/18/2018

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Date

/s/Glen Niemy

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Signature

Niemy, Glen (73646)

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Last Name, First Name (PNum)

Glen Niemy, Professional Corporation

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Law Firm