IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE,
Petitioner,
v.
THE SUPERIOR COURT OF SAN DIEGO COUNTY
Respondent.

SUPREME COURT
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BRYAN MAURICE JONES,
Real Party in Interest.

S255826

Fourth Appellate District, Division 1
D074028

San Diego County Superior Court
CR136371

APPLICATION OF THE CALIFORNIA PUBLIC DEFENDERS ASSOCIATION AND TODD W. HOWETH, PUBLIC DEFENDER FOR THE COUNTY OF VENTURA, TO APPEAR AS *AMICI CURIAE* ON BEHALF OF BRYAN MAURICE JONES, REAL PARTY IN INTEREST

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TO THE HONORABLE TANI GORRE CANTILE-SAKAUYE, CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF CALIFORNIA:

The California Public Defenders Association (CPDA) and Todd W. Howeth, the Public Defender for the County of Ventura, respectfully request your permission to file a brief in support of Real Party in Interest, Bryan Maurice Jones. This application summarizes the nature and history of your amici and our interest in the issues presented in this case and explains how our brief will assist the court in deciding the matter. (No party nor any counsel for a party authored this proposed brief in whole or in part nor made a monetary contribution intended to fund the preparation or submission of the brief.)

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A Statement of Our Interest and Expertise

The California Public Defenders Association is the largest and most influential association of criminal defense attorneys and public defenders in the State of California. Our collective experience regarding the law and our appellate advocacy on criminal justice issues puts us in a unique position to assist the court in this case.

Over the past half-century, the California Public Defenders Association, the state's largest nonprofit organization of criminal defense practitioners, has observed an epidemic of *Batson* violations by overzealous prosecutors. CPDA is uniquely situated to make that observation.

CPDA promotes the legal rights of Californians in our state's criminal and juvenile justice systems. CPDA is a leader in continuing legal education for California defense attorneys and is an approved provider of Mandatory Continuing Legal Education, Criminal Law Specialization Education, and Appellate Law Specialization Education. CPDA is one of only two organizations deemed by the Legislature to be an "automatically" approved MCLE provider.

California courts have granted CPDA leave to appear as amicus curiae in nearly 70 cases. (See, e.g., *Facebook v. Superior Court* (*Touchstone*) (S245203) [briefed re alternatives for access to information under the Stored Communications Act]; *People v. Buycks* (2018) 5 Cal.5th 857 [enhancements required to be stricken following reduction of underlying felonies to misdemeanors]; *Facebook, Inc. v. Superior Court* (*Hunter*) (2018) 4 Cal.5th 1245 [service provider may properly be subject to compliance with a subpoena]; *San Diego County v. Commission on State Mandates* (2018) 6 Cal.5th 196 [reversing the Commission's determination regarding the SVP act]; *People v. Adelmann* (2018) 4 Cal.5th 1071 [resentencing petition required to be filed in sentencing county]; *People v. Romanowski* (2017) 2 Cal.5th 903

[conviction for grand theft under Penal Code section 484e is eligible for section 1170.18 relief]; *People v. Gonzales* (2017) 2 Cal.5th 858 [entering a bank with the intent to cash a forged check is shoplifting, not burglary]; *People v. Morales* (2016) 63 Cal.4th 399 [presentence credits do not reduce the Safe Neighborhoods and Schools Act parole period]; *People v. Mosley* (2015) 60 Cal.4th 1044 [discretionary sex offender registration isn't "punishment" within the meaning of the Sixth Amendment]; *People v. Beltran* (2013) 56 Cal.4th 935 [heat of passion does not require provocation that would cause the average person to kill]; *Robey v. Superior Court* (2013) 56 Cal.4th 1218 ["plain-smell" did not permit warrantless search]; *Maldonado v. Superior Court* (2012) 53 Cal.4th 1112 [Penal Code section 1054.3, subdivision (b)(1), permitting a compelled mental examination of a criminal defendant who has placed his mental state at issue, does not violate the Fifth Amendment]; *People v. Albillar* (2010) 51 Cal.4th 47 [sex offenses subject to gang enhancement]; *Barnett v. Superior Court* (2010) 50 Cal.4th 890 [post-trial discovery]; *Galindo v. Superior Court* (2010) 50 Cal.4th 1 [pre-prelim discovery]; *People v. Lessie* (2010) 47 Cal.4th 1152 [*Miranda* waiver after minor's request for parent]; *People v. Lenix* (2008) 44 Cal.4th 602 [comparative juror analysis for first time on appeal]; *People v. Nelson* (2008) 43 Cal.4th 1242 [DNA evidence in a cold-hit case]; *People v. Richardson* (2008) 43 Cal.4th 959 [use of peremptory challenges to excuse any juror who expressed reservation about the death penalty did not violate defendant's right to a representative jury]; *Chambers v. Superior Court* (2007) 42 Cal.4th 673 [*Pitchess* procedures]; *People v. Salazar* (2005) 35 Cal.4th 1031 [*Brady* suppression in context of experts]; *People v. Sanders* (2003) 31 Cal.4th 318 [search could not be a reasonable "parole search" without knowledge of the suspect's parole status]; *Manduley v. Superior Court* (2002) 27 Cal.4th 537 [no separation of powers violation by the direct filing of juvenile cases in the criminal court]; *People v. Loyd* (2002) 27 Cal.4th 997 [jail taping of phone calls]; *People v. Mooc* (2001) 26 Cal.4th

1216 [need for reviewable record of in camera hearing]; *Albertson v. Superior Court* (2001) 25 Cal.4th 796 [confidentiality in SVP proceedings].)

CPDA has also served as amicus curiae to the United States Supreme Court. (See, e.g., *Gonzales v. Duenas-Alvarez* (2007) 127 S.Ct. 815 [aiding and abetting theft justifies removal]; *Samson v. California* (2006) 547 U.S. 843 [individual suspicion not needed for parole search]; *Ewing v. California* (2003) 538 U.S. 11 [Life sentence for theft of golf clubs, under California's three-strikes law, was constitutional]; *California v. Trombetta* (1984) 467 U.S. 479 [the duty to preserve evidence is limited to evidence that might be expected to play a significant role in the suspect's defense]; *Monge v. California* (1998) 524 U.S. 721 [double jeopardy clause does not bar retrial of a prior conviction allegation after an appellate finding of evidentiary insufficiency].)

In addition to its amicus work, CPDA is heavily involved in proposing and drafting legislative solutions to statewide criminal justice and juvenile law problems. Our lobbyists attend key state Senate and Assembly committee meetings weekly, and members of our association routinely testify in the Legislature regarding proposed bills relevant to criminal justice and to juvenile law. Additionally, CPDA has sponsored legislation and has taken a position on thousands of bills which, if adopted, would impact our members and their clients.

CPDA has both a general and specific interest in the subject matter of this litigation. CPDA's members represent the vast majority of individuals charged with serious criminal offenses in California's courts. As a result, our members lodge and litigate most *Batson* objections.

In light of this collective experience, CPDA is in a unique position to offer, as your amicus, a practitioner perspective of the issue presented in this case.

The Ventura County Public Defender's office is established pursuant to Government Code sections 27700-27712 to provide quality legal representation to indigent persons in the courts of Ventura County. Historically, the Public Defender is well-versed on all issues relating to California's criminal justice system and often provides amicus services to the California courts on issues of statewide and national significance.

Todd W. Howeth is the Public Defender of Ventura County. Each year, the Public Defender provides a defense in some 16,000 new misdemeanor cases and over 3,500 new felonies. All of these cases involve discovery issues. Our collective trial and appellate experience well equips us to assist this court on the issues presented in this case.

The Public Defender of Ventura has been permitted to appear as amicus in our state Supreme Court since 1969. In 2005, the court also allowed the Public Defender to present oral argument as an amicus in *People v. Salazar* (2005) 35 Cal.4th 1031. The author of this brief was allowed to appear in oral argument on behalf of these same amici.

The Public Defender takes an active presence in our courts of review as a party, an attorney for a party, or in the role of amicus. (See, e.g., *Erwin v. Appellate Dept.* (1983) 146 Cal.App.3d 715 [Public Defender as petitioner].) The author of this brief has worked for the Ventura County Public Defender (VCPD) for 20 years, is a Senior Deputy responsible for our appellate practice and training, and was

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counsel for the defense or amici in some of the cases cited by the parties in this writ proceeding.

Dated: March 5, 2020

Respectfully Submitted,

Michael C. McMahon, SBN 71909
State Bar Certified Specialist - Criminal Law
State Bar Certified Specialist - Appellate Law
For the California Public Defenders Association and the Public Defender of Ventura County,
Applicants for amici curiae status in support of Real Party in Interest.

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AMICI BRIEF OF THE CALIFORNIA PUBLIC DEFENDERS ASSOCIATION AND TODD W. HOWETH, PUBLIC DEFENDER FOR THE COUNTY OF VENTURA, ON BEHALF OF BRYAN MAURICE JONES, REAL PARTY IN INTEREST

TO THE HONORABLE TANI GORRE CANTILE-SAKAUYE, CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF CALIFORNIA:

Our Premise

In cases in which the court arrives at the third stage of a *Batson* claim, trial courts should be encouraged to review and consider the jury selection notes to bolster the reliability of the fact-finding process. Barring extraordinary circumstances, the court's review of the

notes should involve an adversarial proceeding. It is a rare case in which jury selection notes reveal trial strategy intended to be protected as work product. In such cases, an in camera review to identify those portions may be conducted at a convenient juncture with a sealed transcript. A protective order can safeguard prospective jurors from unnecessary annoyance and embarrassment.

I.

An exhaustive and thorough inquiry into possible purposeful discrimination at the earliest opportunity promotes the finality of judgments, judicial economy, reliability of fact-finding, and the interests of justice.

Upon arrival at the third prong of a *Batson* objection, what constitutes best practices by the trial court?[1] A trial court finding regarding the credibility of an attorney's explanation of the ground for a peremptory challenge is entitled to great deference. (*Felkner v. Jackson* (2011) 562 U.S. 594, 598; *People v. Winbush* (2017) 2 Cal.5th 402, 434.) However, the trial judge must have access to all of the relevant and probative information concerning the motivations for the challenge.

Hopefully, all agree the trial judge has the best perspective to accurately determine the motivation for a peremptory challenge provided the trial judge has unfettered access to the relevant information. The trial judge has the benefit of observing the demeanor

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[1] Your amici will be referring to these claims and objections by reference to *Batson v. Kentucky* (1986) 476 U.S. 79, 106 S.Ct. 1712, 90 L.Ed.2d 69 (*Batson*), without further reference to *People v. Wheeler* (1978) 22 Cal.3d 258. Our citation to *Batson* is intended to invoke both the federal and state claims because *Wheeler's* seeming requirement that a party must show a *strong likelihood* of discrimination in order to establish a prima facie case of discrimination in the exercise of peremptory challenges, contravenes the controlling standard set in *Batson,* which requires merely *an inference* of discrimination.

of both the attorneys and the prospective jurors, the tone and tenor of their verbal responses, and other ephemeral atmospherics in the courtroom (juror characteristics such as hesitant, inattentive, nervous, uninterested, uncommunicative, emotional, distressed, etc.). By nature, some of this information is evanescent and unavailable to a reviewing court or, due to inevitable lack of memory, even to the trial judge following a remand.

If a trial court concludes that an in camera hearing is necessary to protect a party's trial strategy, the trial judge has discretion to also determine when such review should take place. The convenience of the court, counsel, and the jurors can be ensured by protecting that discretion. Where, as here, jury selection notes are to be disclosed post-conviction, the need to protect trial strategy no longer exists. The court in the instant case did not err in ordering discovery of the notes without in camera review.

Although the prosecutor will offer reasons for his strikes in stage two of a *Batson* challenge, our collective experience supports the conclusion that notes taken during the jury selection and any "ratings" assigned to prospective jurors are often the best evidence of the reasons for the strikes. The prosecutor's stage two testimony may elucidate the meaning of the notes but, because of the impossibility of memorizing attributes of each individual juror, the prosecutor must rely on his notes to proffer the stage two reasons. Because those notations are often not self-explanatory, "testimony" from the attorney is often necessary to reveal their meaning. If notes were not necessary or helpful to refresh the attorney's recollection about the jurors' attributes, notes would serve no purpose. Invariably, notes are taken for the primary purpose of refreshing the recollection of the attorney.

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II.

Our trial courts' experience and expertise with in camera review and effective protective orders safeguards against potential abuse while, at the same time, affording reasonable access to relevant evidence going forward.

Your amici strongly believe that the reliability of any judicial review of jury selection notes (including any rankings) will almost always be heightened by input from opposing counsel in an adversarial setting. To protect the privacy interests of the prospective jurors and the parties, such notes should usually be part of a sealed record. Even when jury selection notes are disclosed to the opposing party, the court should keep a record of everything it reviewed.

Here, the prosecutor specifically defended the peremptory challenges by testifying to their contents; production of those notes and their disclosure to the defense is mandated by fundamental fairness and the court's duty to preclude invidious discrimination from affecting the outcome in criminal cases. But, even in other cases where the attorney's *Batson* testimony makes no explicit reference to the content of the notes, the attorney's testimony will have been refreshed by review of those notes. (Evid. Code. § 771(a).) In other instances, jury selection notes may properly be viewed as counsel's past recollection recorded. (Evid. Code, § 1237.)

Amici suggest that production and disclosure of the notes in such cases is equally mandated by fairness and the avoidance of bias. In all cases in which the court arrives at the third stage of a *Batson* claim, trial courts should be encouraged to review and consider the jury selection notes to bolster the reliability of the fact-finding process. This assertion is critical, must be emphasized, and bears repetition: *In all cases in which the court arrives at the third stage of a* Batson *claim, trial courts should be encouraged to review and consider the jury selection notes to bolster the reliability of the fact-finding process.*

"[E]vidence of comparative juror analysis must be

considered in the trial court and even for the first time on appeal if relied upon by the defendant *and the record is adequate to permit the urged comparisons*." (*People v. Lenix* (2008) 44 Cal.4th 602, 622, emphasis added.) Preservation of the jury selection notes will ensure reviewing courts have the necessary record for comparative juror analysis.

Jones, of course, is focused on getting the notes in his case which is appropriate. But, after granting review, this court should consider writing with a broader brush to assist trial courts in future cases. Amici can play a supportive role in that endeavor.

California trial courts are readily familiar with the process of conducting an in camera review of documents which are later sealed along with that portion of the reporters' transcript. Here, your amici provide some examples of the use of in camera hearings and protective orders in criminal prosecutions. (This list is merely descriptive rather than exhaustive.)

***Pitchess* Motions:**

Since 1974, our criminal courts frequently follow a familiar process for reviewing records when a motion for production and disclosure is made as discussed in *Pitchess v. Superior Court* (1974) 11 Cal.3d 531. Your amici stressed the need for the creation of a reviewable record in *People v. Mooc* (2001) 26 Cal.4th 1216 (*Mooc*). This court agreed. In *Mooc*, the trial court failed to have the in camera proceedings transcribed and also failed to keep a copy of the records the court had examined in camera. This court assisted the trial courts in future cases by clarifying the proper procedures and emphasizing the creation of a reviewable record. In the context of jury selection notes, amici urge that the notes be photocopied and placed in a confidential and sealed file in the first instance to avoid the need to augment or correct the record with the procedures authorized by California Rules of

Court, Rule 8.155 [augmenting and correcting the record]. Amici point out that, as authorized by statute (Evid. Code, § 1045, subd. (d)) in *every* case in which a *Pitchess* motion results in disclosure of information to the defense, the trial court issues a very broad protective order to prevent any unnecessary annoyance, embarrassment or oppression to the persons related to the disclosed information. Amici believe that individuals assessed in jury selection notes should enjoy similar protections.

Third-Party Discovery:

Pitchess motions are not the only source of lower courts' familiarity with in camera proceedings. Whenever a criminal defendant requests document discovery from a third party, the third party responds by lodging the materials with the clerk of the court. (Pen. Code, § 1326, subds. (b)-(c); Evid. Code, § 1560, subd. (b); *Kling v. Superior Court* (2010) 50 Cal.4th 1068, 1074.)[2] "[T]he court may order an in camera hearing to determine whether or not the defense is entitled to receive the documents." (Pen. Code, § 1326, subd. (c).) "Th[ese] restriction[s] maintain[ ] the court's control over the discovery process, for if the third party 'objects to the disclosure of the information sought, the party seeking the information must make a plausible justification or a good cause showing of need therefor.' " (*Kling, supra,* 50 Cal.4th at pp. 1074-1075.) "Of course, any third party or entity – including a social media provider – may defend against a criminal subpoena by establishing, for example, that the proponents can obtain the same information by other means, or that the burden on the third party is not justified under the circumstances." (*Facebook, Inc. v. Superior Court (Hunter*) (2018) 4 Cal.5th 1245, 1290.)

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2 The author of this amici brief was counsel for Mr. Kling.

Law Enforcement Records of Other Crimes:

This court has recently endorsed in camera review of law enforcement records which might contain impeachment evidence of prosecution witnesses or evidence of third-party guilt. (*People v. Rhoades* (2019) 8 Cal.5th 393, 407 [FBI records examined in camera at each stage of the process].) In *Rhoades*, nothing was disclosed so there was no need for a protective order.

Your amici are not opposed to the use of protective orders when sensitive information is disclosed to facilitate a fair trial. The California Constitution provides the courts with inherent powers to control judicial proceedings. These powers have also been codified in Code of Civil Procedure, section 128, subdivision (a)(8), which authorizes every court to amend and control its processes and orders to make them conform to law and justice.

***Hobbs* Hearings:**

When a search warrant is valid on its face, a public entity bringing a criminal proceeding may establish the search's legality without revealing to the defendant any official information or an informant's identity. (Evid. Code, § 1042, subd. (b).)

When the affidavit that supported the search warrant is partially sealed, a court considering a defendant's suppression motions uses procedures outlined by this court in *People v. Hobbs* (1994) 7 Cal.4th 948). These procedures frequently require an in camera review of the sealed documents. (*People v. Luttenberger* (1990) 50 Cal.3d 1, 21.) If portions of the sealed documents are disclosed to the defendant, the court could do so with a protective order.

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III.

When a trial court examines or preserves (under seal) jury selection notes, those notes should include any criminal background information that was obtained by the party defending the peremptory challenge.

As is often the case, a criminal prosecution is not a symmetrical process. The prosecution has access to resources that are not readily available to the defense. Many prosecutors will run criminal background checks on some of the prospective jurors or members of a cognizable group who are prospective jurors. (*See, e.g., People v. Johnson* (2019) 8 Cal.5th 475, 508-509, fn. 5 [checking only members of a cognizable group "plainly" constitutes a prima facie case of discrimination].)

On the third stage of a *Batson* challenge, the fact the prosecution sought, used, or relied upon such non-public information should be disclosed and the resulting data should be ordered preserved by the court. There is no way such information could be viewed as core work product or immune from disclosure.

Because your amici know that an adversary process promotes the reliability of judicial fact-finding, we believe such information should be provided to the opposing counsel under a stringent protective order prior to a final ruling on the *Batson* challenge. Indeed, the court can delegate the task of identifying the relevant portion of the criminal history records to counsel to promote judicial economy.

IV.

Trial courts should be encouraged to order the preservation of jury selection notes.

For nearly identical reasons to those discussed and judicially-mandated by this court's opinion in *Mooc,* the trial court must create and maintain an adequate record for meaningful review.

Generally, this should be done by preserving (under seal) a copy of all jury selection notes discussed or reviewed in the third stage of a *Batson* challenge. Even with comparative juror analysis, maintaining a sealed copy is not unduly burdensome. The sealed copy might be marked for identification as an exhibit to avoid expansion of the court case file. Clerks are adept with storing cumbersome exhibits such as bullet-riddled walls, large parts of boats, etc.

V.

Here, the trial court acted within its discretion in determining that any work product protection afforded to jury selection notes was not absolute. If the product of the attorney's work supports an inference of a constitutional violation, the statutory protection must yield.

Comparative juror analysis is best conducted in an adversarial proceeding. If a credible, sufficient, and neutral explanation for the exercise of the peremptory challenge is offered, a *Batson* objection is sometimes withdrawn. But often it is not withdrawn, and the court and parties move to the third stage of the *Batson* process. The party raising the challenge, assisted by review of their own notes, will attempt to rebut the neutrality of the challenge.

In some cases, a claim of core work product protection may be asserted, triggering in camera review.

VI.

The trial court and court of appeal correctly concluded that the prosecution waived any claim of core work product protection over jury selection notes.

Jimenez v. Superior Court (2019) 40 Cal.App.5th 824 provides an example of a well-preserved invocation of the work product protection in the context of a habeas proceeding. In *Jimenez*, the court used mandate to vacate a discovery order as premature without

prejudice to renewal of the motion. Because the court in *Jimenez* had issued an Order to Show Cause, the parties were entitled to court-ordered discovery as to issues on which the petition had stated a prima facie case. Because that case was in a different posture than the instant case, the broader, qualified work product protection applied. (at p. 833.) Here, only the core protection is applicable.

In the instant case, the court got it right in concluding that the core work product protection is waived where a witness testifies as to the work product's content and that Evidence Code, section 771, requires the production of a writing used to refresh a witness's memory while testifying if requested by the adverse party.

In the context of the third stage of a *Batson* claim, an attorney who refreshes his or her memory regarding the exercise peremptory waives any protection when they "testify" to the details of their jury selection notes and ratings. Such an attorney is the functional equivalent of a witness or declarant.

The court has done this before. In *Robins v. Pruneyard Shopping Center* (1979) 23 Cal.3d 899, 910, this court held that a privately owned shopping center was the functional equivalent of a public forum for free speech protections under the state constitution.

Some distinctions make a difference, and some don't. An attorney explaining his or her impressions of prospective jurors and their motivation for excluding them acts as a witness in this context. Such comments will generally be viewed as an implied waiver (or forfeiture) of any work product protection, assuming such protection even exists once the court reaches the third stage of a *Batson* motion.

In this case, the court's conclusion that the prosecutor had waived any applicable protection was supported by compelling evidence. (If this was not a waiver, it is hard to imagine a record in which a waiver could be found.) "He who takes the benefit must bear the burden." (Civ. Code, § 3521.)

Conclusion

The judgment of the Court of Appeal denying the petition should be affirmed. Where, as here, a prosecutor relies on jury selection notes to refresh his recollection and shares the details of jury selection notes with the court during a *Batson* hearing, upon request, the defense is entitled to review those notes. The trial court did not abuse its discretion in determining Jones was entitled to the jury selection notes under Penal Code, section 1054.9.

Because counsel will invariably refresh his or her recollection with jury selection notes before explaining the neutrality of a peremptory challenge, this court should write an opinion encouraging trial courts to consider and preserve jury selection notes upon reaching the third stage of a *Batson* motion. Indeed, if our jurisprudence is in need of a course correction, this would be a desirable first step.

Dated March 5, 2020

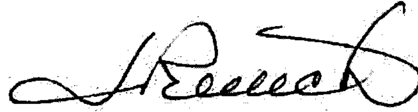
Respectfully Submitted,

Michael C. McMahon, SBN 71909
State Bar Certified Specialist - Criminal Law
State Bar Certified Specialist - Appellate Law
For the California Public Defenders Association
and the Public Defender of Ventura County,
amici curiae in support of the
Real Party in Interest.

CERTIFICATE OF WORD COUNT

I do hereby certify that utilizing the word count software feature of MSWord, in Century Schoolbook #13.5 font, there are 5,460 words in this document.

March 5, 2020



Jeane Renick
Legal Mgmt. Asst. III

DECLARATION OF SERVICE

Case Name: **The People, Petitioner, v. The Superior Court of San Diego County, Respondent; Bryan Maurice Jones, Real Party in Interest**

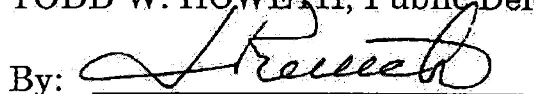
Case No.: S255826 (Fourth Appellate Dist., Div. 1, D074028; San Diego County Superior Ct., CR136371)

On March 5, 2020, I, Jeane Renick, declare: I am over the age of 18 years and not a party to the within action or proceeding. I am employed in the Office of the Ventura County Public Defender at 800 South Victoria Avenue, Ventura, California 93009. On this date, I *electronically served* the following named person(s), ***as indicated***, AND/OR via U. S. Mail in the ordinary course of business, with a full, true and correct copy of the attached **Application of the Calif. Public Defenders Assoc. and Todd W. Howeth, Public Defender for the County of Ventura, to appear as Amici Curiae on behalf of Bryan Maurice Jones, Real Party in Interest; Amici Brief:**

Summer Stephan, District Attorney of San Diego County
 Samantha Begovich, DDA via Samantha.begovich@sdcda.org
 DA Appellate via da.appellate@sdcda.org
Rachael Schaefer via rschaefer@hcrc.ca.gov
Shelley Sandusky via ssandusky@hcrc.ca.gov
Habeas Corpus Resource Center via docketing@hcrc.ca.gov
Hon. Xavier Becerra, Atty. General via sdag.docketing@doj.ca.gov
Superior Ct. of San Diego Co. via appeals.central@sdcourt.ca.gov

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on the above date at San Buenaventura, California.

TODD W. HOWETH, Public Defender

By: 

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