

**XAVIER BECERRA**  
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**DEPARTMENT OF JUSTICE**



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September 28, 2020

Honorable Jorge E. Navarrete, Clerk  
Supreme Court of California  
350 McAllister Street, First Floor  
San Francisco, California 94102-4797

RE: *People v. Joseph Gentile*  
Court of Appeal of the State of California, Fourth Appellate District, Case No. S256698

***ADDITIONAL AUTHORITIES LETTER***

Dear Mr. Navarrete:

Pursuant to this Court's Notice to Counsel Appearing for Oral Argument, respondent respectfully submits the following authority bearing on whether Senate Bill No. 1437 has eliminated the natural and probable consequences doctrine as a basis for second degree murder liability:

*People v. Duke* (September 28, 2020, B300430), at pp. 9–11, fn. 2 [concluding that Senate Bill No. 1437's amendment to Penal Code section 188 to now require that each principal have acted with malice aforethought to be guilty of murder "eliminated the natural and probable consequences doctrine in cases of murder," and listing prior cases that have so held].

Sincerely,

**S/ALAN L. AMANN**  
ALAN L. AMANN  
Deputy Attorney General

For XAVIER BECERRA  
Attorney General

ALA:ab  
cc: Eric R. Larson  
SD2019702400

**STATE OF CALIFORNIA**  
Supreme Court of California

**PROOF OF SERVICE**

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. GENTILE**

Case Number: **S256698**

Lower Court Case Number: **E069088**

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

9/28/2020

Date

/s/Alan Amann

Signature

Amann, Alan (301282)

Last Name, First Name (PNum)

