

PROFESSIONAL LAW CORPORATION

991 Lomas Santa Fe Drive, Suite C, #119
Solana Beach, California, 92075
Telephone (858) 259-6737 • Facsimile (858) 345-1666

SUPREME COURT COPY

February 13, 2018

Jorge E. Navarrete
Clerk of the Supreme Court
350 McAllister St.
San Francisco, CA 94102

RE: People v. Hardy; Appeal No. S113421; Superior Court No. NA039436-02

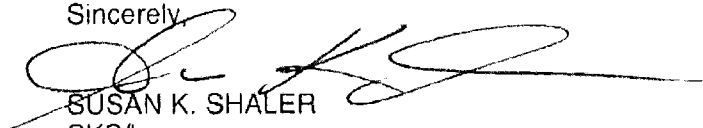
Dear Mr. Navarrete:

The Court requested a focus letter identifying those issues on which counsel expects to focus at oral argument, which is set for 9:00 a.m. on March 8, 2018. Please inform the Court, I intend to focus on the following issues:

Argument III: Whether the trial court erred in denying the defense *Batson/Wheeler* motion.

Argument X: Whether the verdict form, combined with the jury instructions, including instructions addressed in supplemental briefing (Arguments XXIII and XXIV), incorrectly permitted a finding of guilt on first degree murder based on an improper legal theory.

Sincerely,


SUSAN K. SHALER
SKS/bc

Enclosure (proof of service)

DEATH PENALTY

ATTORNEY'S CERTIFICATE OF ELECTRONIC SERVICE
AND SERVICE BY MAIL

(Code Civ. Proc., § 1013a, subd. (2); Cal. Rules of Court, rules 8.71(f) and 8.77)

I, Susan K. Shaler, certify: I am an active member of the State Bar of California and am not a party to this cause. My electronic service address is shalerlawcorp@gmail.com and my business address is 991 Lomas Santa Fe Dr., Ste C #112, Solana Beach, CA. On February 13, 2018, I served the persons and/or entities listed below by the method checked. For those marked "Served Electronically," I transmitted a PDF version of Appellant's Focus Letter re Oral Argument by TrueFiling electronic service or by e-mail to the e-mail service address(es) provided below. For those marked "Served by Mail," I deposited in a Mailbox regularly maintained by the United States Postal Service at Solana Beach, California, a copy of the above document in a sealed envelope with postage fully prepaid, addressed as provided below on February 13, 2018.

APPELLANT'S FOCUS LETTER RE ORAL ARGUMENT

on all parties to this action by placing a true copy thereof enclosed in a sealed envelope or box addressed as follows:

Clerk, California Supreme Court
350 McAllister St.
San Francisco, CA 94102
[Served Electronically]

Xavier Becerra
Attorney General
300 S. Spring St.
North Tower, Ste 5001
Los Angeles, CA 90013
[Served Electronically]

California Appellate Project
Attn: Ms. Aundre Herron
101 Second Street, 6th Floor
San Francisco, CA 94105
[Served by Mail]

Mr. Warren J. Hardy
T80906
San Quentin State Prison
San Quentin, CA 94974
[Served by Mail]

I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at Solana Beach, California.
Executed on February 13, 2018, at Solana Beach, California.

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


Susan K. Shaler