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**DEPARTMENT OF JUSTICE**

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October 23, 2020

The Honorable Jorge E. Navarrete  
Clerk and Executive Officer  
Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-4797

RE: *People v. Irving Alexander Ramirez*  
Supreme Court California, Case No. S155160  
Alameda County Superior Court, Case No. 151080  
Notice of Supplemental Authorities – Cal. R. Ct. 8.520(d), 8.630(d)

To Chief Justice Tani Cantil-Sakauye, and the Associate Justices of the Supreme Court of the State of California:

Pursuant to California Rules of Court, rules 8.520(d) and 8.630(d), respondent requests that the Court consider the following authorities, issued since the filing of the respondent's brief, in connection with the resolution of the above-entitled automatic appeal.

**Issue III: The Trial Court Did No Err in Refusing to Limit the Number of Uniformed Police Officers in the Courtroom**

*People v. Woodruff* (2018) 5 Cal.5th 697, 756-757 [presence of uniformed police officers in courtroom during capital prosecution for murder and attempted murder of police officers did not deprive defendant of right to fair trial where defendant failed to establish number of officers present in courtroom and trial court noted there were never enough uniformed officers present to give it “concern that there would be an intimidation factor”]

**Issue V: The Victim Impact Evidence Was Properly Admitted**

*People v. Mendez* (2019) 7 Cal.5th 680, 713-714 [testimony of victim's mother reading poem victim wrote in fifth grade was admissible victim impact evidence in capital murder trial where there was no indication poem invited irrational response from jury and where poem contributed to picture of who victim was in life]

**VI. The Trial Court Properly Denied Ramirez’s Request for an Instruction on Lingerin g Doubt**

*People v. Jackson* (2016) 1 Cal.5th 269, 369-370 [“Neither state nor federal law requires a trial court to instruct a penalty jury to consider lingering doubt as a factor in mitigation”]

Respectfully submitted,

*/s/ Elizabeth W. Hereford*

ELIZABETH W. HEREFORD  
Deputy Attorney General  
State Bar No. 282956

For XAVIER BECERRA  
Attorney General

EWB:

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**DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S. MAIL**

Case Name: **People v. Irving Ramirez**  
No.: **S155160**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collecting and processing electronic and physical correspondence. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On October 23, 2020, I electronically served the attached **Respondent's New Authority Letter** by transmitting a true copy via this Court's TrueFiling system. Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on October 23, 2020, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

The Honorable Nancy O'Malley  
District Attorney  
Alameda County District Attorney's  
Office  
[Via TrueFiling Only]

Superior Court of California  
County of Alameda  
Criminal Division  
Rene C. Davidson Courthouse  
1225 Fallon Street, Room 107  
Oakland, CA 94612-4293

CAP - SF  
California Appellate Project (SF)  
345 California Street  
Suite 1400  
San Francisco, California 94104

Maria J. Morga  
Deputy State Public Defender  
Office of the State Public Defender  
Oakland City Center  
111 Broadway, 10th Floor  
Oakland, CA 94607  
(2 copies)

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on October 23, 2020, at San Francisco, California.

\_\_\_\_\_  
T Pham  
Declarant

\_\_\_\_\_  
*/s/ T Pham*  
Signature

**STATE OF CALIFORNIA**  
Supreme Court of California

***PROOF OF SERVICE***

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. RAMIREZ (IRVING ALEXANDER)**

Case Number: **S155160**

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: **Elizabeth.Hereford@doj.ca.gov**
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LETTER	S155160 - Respondent's New Authority Letter

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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.

10/23/2020

Date

/s/Tuyen Pham

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Signature

Hereford, Elizabeth (282956)

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Last Name, First Name (PNum)

California Dept of Justice, Office of the Attorney General

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Law Firm