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May 12, 2020

Supreme Court of California
350 McAllister St.
San Francisco, CA 94102

Re: People v. Daniel T. Silveria and John R. Travis – S062417
2nd Pre-Argument List of Additional Authorities

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

Please consider one additional updated authority (inadvertently left out of the list filed May 11, 2020) in connection with the resolution of the above-entitled automatic appeal:

Travis AOB Argument VII – Validity of Detention and Arrest

People v. Spencer (2018) 5 Cal.5th 642, 663-667. Spencer was originally a co-defendant of the present two co-appellants. After the motion to suppress evidence was denied below, a severance was granted. As a result, Spencer was tried separately, and his automatic appeal has already been decided. Although his challenge to probable cause was unsuccessful, this Court's discussion has little or no bearing on the detention and arrest issues in the present case.

The present issues pertain to the detention and arrest of Travis, Silveria, and Jennings, and the search of the two vehicles incident to those arrests. None of those issues were raised by Spencer, as he was not present and likely had no standing to challenge those detentions, arrests, or searches. The fruits of those searches and the statements made after those arrests added to the probable cause to later arrest Spencer, and it is only that latter arrest that was challenged by Spencer. This Court, in *Spencer*, had no occasion to decide the present issues.

Very truly yours,

Mark E. Cutler
Counsel for John R. Travis

DECLARATION OF SERVICE BY MAIL

I, Mark E. Cutler, declare as follows:

I am a citizen of the United States, over the age of 18 years and not a party to the within action; my place of employment and business address is P.O. Box 172, Cool, CA 95614-0172.

On May 12, 2020 I served the attached

2nd PRE-ORAL ARGUMENT LIST OF ADDITIONAL AUTHORITIES

by placing a true copy thereof in an envelope addressed to the persons named below at the addresses shown, and by sealing and depositing said envelope in the United States Mail at Cool, California, with postage thereon fully prepaid. There is delivery service by United States Mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

John Raymond Travis, K-57201
CSP-SQ
NBN-6-N-24
San Quentin, CA 94974

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

Executed this 12th day of May, 2020, at Cool, California.

Mark E. Cutler

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. SILVERIA (DANIEL TODD) & TRAVIS (JOHN RAYMOND)**

Case Number: **S062417**

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: **cutler@mac.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

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LETTER	2020-05-12 2nd Supplemental Authorities Letter to CSC

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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.

5/12/2020

Date

/s/Mark Cutler

Signature

Cutler, Mark (cutler@mac.com)

Last Name, First Name (PNum)

Mark E Cutler, Attorney-at-law

Law Firm