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The Hon. Jorge Navarrete, Clerk
California Supreme Court
350 McAllister St.
San Francisco, CA 94102-7421

Re: People v. Ruben Gomez (S087773)

August 28, 2018

Dear Mr. Navarrete:


In preparing for oral argument the following errors in appellant's opening brief came to my attention.

First, *People v. Vargas* (1975) 53 Cal.App.3d 516, 530, cited on page 189 of appellant's opening brief, did not involve an escape from custody; rather, it involved a defendant who was out of custody and failed to return on the second day of trial, and who was believed to have fled to Mexico. (*Id.* at 523.) The portion of *Vargas* cited and quoted by the trial court at 10RT 1605, however, discusses *People v. Terry* (1970) 2 Cal.3d 362, a case involving a defendant who had escaped from jail before trial. (*Vargas, supra*, 53 Cal.App.3d at p. 530.)

Second, the citations to *People v. Watson* in footnote 12, page 366, and at the bottom of page 367 are incorrect; the correct citation is 46 Cal.2d at p. 836.

In addition, I wish to clarify the first full paragraph on page 9 of appellant's opening brief: The multiple murder special circumstance applied to all the murder counts, not only to counts 10 and 11. (See 2CT 411.)

Sincerely,


Laura S. Kelly

Declaration of Service

Re: People v. Ruben Perez Gomez, S087773

On August 28, 2018, I served the within

Errata letter

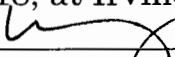
on each of the following, by placing true copies thereof in envelopes addressed respectively as follows, and depositing them in the United States mail at Irvine, California:

Clerk Los Angeles Co. Superior Court Capital Appeals Unit 210 W. Temple St. Room M-3 Los Angeles, CA 90012	Mr. Ruben Perez Gomez E99658 San Quentin State Prison San Quentin, CA 94974
Los Angeles District Attorney's Office 210 West Temple St. Los Angeles, CA 90012 Attn.: Anthony Manzella	

I have served the Attorney General and CAP-SF as reflected in the proof of service generated by TrueFiling.

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

Executed on August 28, 2018, at Irvine, California



Laura S. Kelly

STATE OF CALIFORNIA
 Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
 Supreme Court of California

Case Name: **PEOPLE v. GOMEZ (RUBEN PEREZ)**

Case Number: **S087773**

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.
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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.

8/28/2018

Date

/s/Laura Kelly

Signature

Kelly, Laura (234036)

Last Name, First Name (PNum)

Laura Kelly, Attorney at Law

Law Firm