

OFFICE OF THE STATE PUBLIC DEFENDER

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COPY

May 10, 2012

SUPREME COURT COPY FILED

Mr. Frederick Ohlrich, Clerk
Supreme Court of California
350 McAllister St.
San Francisco, CA 94102-3600

MAY 10 2012

Frederick K. Ohlrich Clerk

Re: People v. Richard Valdez, No. S062180

Deputy

Dear Mr. Ohlrich:

Oral argument in the above-referenced case has been calendared for 1:30 p.m. on Tuesday, May 29, 2012. At that hearing, I intend to focus my argument on the following issue (numbered as it appears in appellant's opening brief):

12. The Trial Court Committed Reversible Error, and Violated Appellant's Sixth, Eighth, and Fourteenth Amendment Rights to a Fair and Impartial Jury, Reliable Penalty Determination and Due Process, By Prohibiting Any Mention During Voir Dire of the Number of Victims or the Fact That There Were Child Victims.

For the benefit of this Court and its staff, I note in particular that I do not intend to argue Arguments 1 or 2, which were filed under seal. It is my understanding, based upon this Court's orders of April 12, 2006, September 27, 2006, and June 27, 2007, that any argument relating to Arguments 1 and 2 would require that the courtroom be closed to anyone other than members of this Court, Court staff, counsel and their supervising attorneys who reviewed the materials for the purpose of aiding counsel in preparing the briefing and argument.

Thank you for bringing this letter to the Court's attention.

Sincerely,

GARY D. GARCIA
Deputy State Public Defender

DECLARATION OF SERVICE

Re: *People v. Richard Valdez*

No. S062180

I, Neva Wandersee, declare that I am over 18 years of age, and not a party to the within cause; that my business address is 221 Main Street, 10th Floor, San Francisco, California 94105; I served a true copy of the attached:

FOCUS LETTER

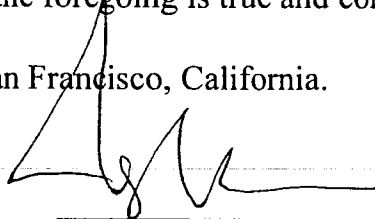
on May 10, 2012 of the following, by placing same in an envelope addressed respectively as follows:

Michael R. Johnsen
Deputy Attorney General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013

Richard Valdez
P.O. Box K-56901
San Quentin State Prison
San Quentin, CA 94974

Each said envelope was then, on May 10, 2012, sealed and deposited in the United States mail at San Francisco, California, the county in which I am employed, with the postage thereon fully prepaid. I declare under penalty of perjury that the foregoing is true and correct.

Signed on May 10, 2012, at San Francisco, California.



DECLARANT