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SILICON VALLEY

September 22, 2021

**VIA TRUE FILE**

Supreme Court of California  
Attn: Mr. Jorge E. Navarrete  
Court Administrator and Clerk of the Supreme  
Court  
350 McAllister Street  
San Francisco, California 94102

Re: *People v. Michael Raymond Johnson*, No. S070250  
Focus Issues for Oral Argument, Scheduled for October 4, 2021 at 1:30 p.m.

Dear Mr. Navarrete:

This is to inform the Court that counsel for Mr. Johnson intends to focus on the following arguments at Oral Argument:

**Argument IV (Appellant's Opening Brief):**

Appellant's Fifth And Fourteenth Amendment Rights Were Violated When The Sheriff's Office, The District Attorney's Office And The District Attorney's Agent, Dr. Patterson, Repeatedly Disregarded Appellant's Invocations Of His Right To Remain Silent And To Have Counsel Present Prior To Interrogation, Ultimately Coercing Admissions And Confessions To The Crimes Charged. The Admissions And Confessions Were Erroneously Admitted Into Evidence. The Error Requires Reversal.

**Argument V (Appellant's Opening Brief):**

The Trial Court Committed Reversible Error in Admitting Only Select Portions of Appellant's Statement to Dr. Patterson, while Excluding the Majority.

**Argument VII (Appellant's Opening Brief):**

The Prosecution Committed Multiple Acts of Misconduct Resulting In Appellant Receiving A Trial Defective Under Both the California And Federal Constitutions.

Argument X (Appellant's Opening Brief):

The Trial Court Committed Reversible Error In Allowing Deputy Fryhoff To Testify That He Was Angry He Did Not Kill Appellant.

Argument XI (Appellant's Opening Brief)

The Trial Court Committed Reversible Error In Excluding Testimony From Appellant's Mother, That She Would Not "Want [Appellant] To Receive The Death Penalty," And In Instructing The Jury, "In The Strongest Possible Terms" To Disregard The Testimony And That The Family Of Deputy Aguirre Had "Respected [The] Rule Of Law," Implying Appellant's Family Had Not.

Very truly yours,



Anthony J. Dain

AJD

Enclosure (proof of service)

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

Case Name: *People v. Michael Raymond Johnson*

No.: **S070250**

I declare:

I am employed by Procopio, Cory, Hargreaves & Savitch, LLP, 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 Procopio, Cory, Hargreaves & Savitch, LLP 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 September 22, 2021, I electronically served the attached FOCUS ISSUES FOR ORAL ARGUMENT LETTER by transmitting a true copy via this Court’s TrueFiling system to:

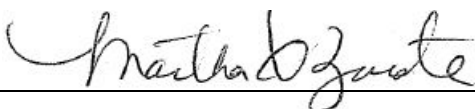
Wyatt E. Bloomfield Lawrence M. Daniels Deputy Attorney General Attorneys for Respondent Wyatt.Bloomfield@doj.ca.gov larry.daniels@doj.ca.gov docketinglaawt@doj.ca.gov	Habeas Corpus Resource Center Michael J. Hersek, Executive Director mhersek@hcrca.gov
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County of Ventura, Main Courthouse Superior Court of California Ventura Hall of Justice P.O. Box 6489 Ventura, CA 93006-6489	CALIFORNIA APPELLATE PROJECT 345 California Street, Suite 1400 San Francisco, California 94104
Office of the Public Defender County of Ventura 800 S. Victoria Ave.	Michael Raymond Johnson, K-96000 San Quentin State Prison P. O. Box K-96000

Ventura, CA 93009	San Quentin, CA 94974
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I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on September 22, 2021, at San Diego, California.

  
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**STATE OF CALIFORNIA**  
Supreme Court of California

**PROOF OF SERVICE**

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. JOHNSON (MICHAEL  
RAYMOND)**

Case Number: **S070250**

Lower Court Case Number:

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2. My email address used to e-serve: **dain3003@yahoo.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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APPLICATION	2021-09-22 APPLICATION FOR 45 MINUTE ORAL ARGUMENT TO DIVIDE-POS-signed

Service Recipients:

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TrueFiling and its contents are true to the best of my information, knowledge, and belief.

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

9/22/2021

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Date

/s/Martha Zarate

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Signature

Dain, Anthony (98947)

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Last Name, First Name (PNum)

anthony dain

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Law Firm