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November 16, 2017

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

Re: *People v. Garton*, S097558

Dear Mr. Navarrete:

I represent appellant Todd Garton in the above-referenced case. The case has been calendared for argument on December 6, 2017.

Appellant wishes to direct the Court's attention to new authority bearing on Argument III in Appellant's Opening Brief (pp. 328-349), in which appellant argued that permitting the prosecutor to introduce testimonial statements of the doctor who performed the autopsy on Carole Garton through the testimony of a doctor who did not perform or observe the autopsy violated appellant's right to confrontation and to a reliable guilt and penalty determination and was reversible error.

People v. Sanchez (2016) 63 Cal.4th 665 [relates to Argument III on the question whether testimony of facts underlying an expert opinion are offered for the truth of the matter asserted.]

Sincerely,

/S/
Jeffrey J. Gale
Attorney for Appellant Todd Garton

CERTIFICATE OF SERVICE

I declare I am a citizen of the United States and a resident of the State of California. I am over the age of eighteen years and not a party to the within action. My business address is 111 Bank Street, #303, Grass Valley, CA 95945-6518.

On November 16, 2017, I served the attached LETTER on the following interested parties by transmitting a true copy via electronic mail using the following email addresses:

DANIEL B. BERNSTEIN	CALIFORNIA APPELLATE PROJECT
Supervising Deputy Attorney General	filing@capsf.org
SacAWTTrueFiling@doj.ca.gov and	
daniel.bernstein@doj.ca.gov	

On November 16, 2017, I served the attached LETTER on the following interested parties by depositing a true copy thereof in a sealed envelope in the United States mail at Grass Valley, California, with the postage thereon fully prepaid addressed as follows:

TODD GARTON, T16423
San Quentin State Prison
San Quentin, CA 94974

I declare under penalty of perjury that the foregoing is true and correct.
Executed on November 16, 2017, at Nevada City, California.

 /S/
JEFFREY J GALE