

PAUL J. SPIEGELMAN
ATTORNEY AT LAW
P.O. Box 22575
SAN DIEGO, CA 92192-2575
(858) 452-7121

RECEIVED

AUG 12 2016

CLERK SUPREME COURT

August 9, 2016

SUPREME COURT COPY

SUPREME COURT
FILED

AUG 12 2016

Frank A. McGuire Clerk
Deputy

Supreme Court of California
Office of the Clerk, Death Penalty Appeals
350 McAllister Street, Room 1295
San Francisco, CA 94102-4797

George
Re: *People v. Williams*, S131819

Oral Argument

Gentlepersons:

Please be advised that as counsel for appellant in the above matter, I hereby request 45 minutes for argument of this death penalty case. I intend to focus on three issues (numbered as they were in appellant's briefs):

Issue I: Was it prejudicial error in the guilt phase to refuse to grant a mistrial when a key government witness changed his testimony after the defense had promised the jury in its opening statement that this witness would testify favorably to the defense and when the defense would not have opened its case relying on this testimony but for a discovery violation by the prosecution which was only revealed after the defense opening statement?

Issue IV: Was Appellant denied a fair guilt phase trial when the trial judge allowed the prosecution to introduce prior sex offenses under Evidence Code section 1108 and use them not for the purpose of proving whether the sex act in this case was consensual, but rather for the purpose of prejudicing the jury against defendant on the murder charge?

Issue VI: Did the trial judge commit prejudicial error in the penalty phase when he refused the defense request to instruct the jury not to allow racial bias to influence their decision in a case in which a black man had been convicted of

DEATH PENALTY

raping and killing a white girl who was fourteen years old and there was substantial evidence (A) in the guilt trial that the victim had hidden her relationship with a black man for fear of backlash from her family and (B) in the penalty trial concerning appellant's upbringing in a racially segregated and economically deprived circumstances?

Enclosed is an original Supreme Court Appearance Sheet and a declaration of service showing service by mail on the Attorney General as well as appellant and the California Appellate Project.

Thank you for your attention to these matters.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Paul J. Spiegelman", with a long horizontal flourish extending to the right.

Paul J. Spiegelman

Attorney for Appellant George Williams, Jr.

Cc: Kamala Harris, Attorney General

Aundre Herron, Staff Attorney, California Appellate Project

George Williams, Jr., Appellant

DECLARATION OF SERVICE BY MAIL

Re: People v. Williams Supreme Court No.

I, Paul J. Spiegelman, declare that I am over 18 years of age and am not a party in this action. My business address is P.O. Box 22575, San Diego, CA 92192-2575. I served a copy of the attached Letter of August 9, 2016 on each of the following by placing same in an envelope addressed respectively as follows:

Kamala Harris, Attorney General

110 West A Street, Suite 1100

San Diego, California 92101

Aundre Herron, Staff Attorney

California Appellate Project

101 Second Street

San Francisco, CA 92105

Mr. George Williams, Jr. V-70703


SQSP 5EB70

San Quentin, CA 94974

Each said envelope was then on August 9, 2016, sealed and deposited in the United States Mail at San Diego, California with postage fully prepaid

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

Executed at San Diego, California, this 9th day of August, 2016.



PAUL J. SPIEGELMAN, Declarant