Supreme Court of California
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Supreme Court of California
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In the Supreme Court of the State of California

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff and Respondent,

v.

GOLDY RAYBON,

Defendant and Appellant.

[And four other cases]

Case No. S256978

Court of Appeal, Third Appellate District,
Case Nos. C084853, C084911, C084960, C084964, and C085101

Sacramento County Superior Court,
Case Nos. 09F08248, 13F03230, 08F07402, 12F00411, and 06F11185
The Honorable Curtis M. Fiorini, Judge

RESPONDENT'S REPLY BRIEF

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INTRODUCTION

When voters passed Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act, they plainly intended create a legal, regulated market for the general public's recreational use of this drug. But there is nothing to suggest that they intended to jettison existing contraband laws that ensure order and safety, and prevent underground markets and gang activity, within the State's custodial institutions. That follows from the language of the initiative itself—specifically the savings clause referring broadly to laws pertaining to smoking or ingesting cannabis in custodial institutions. And other sources of electoral intent—including the stated purposes of the initiative, the absence of any reference to the custodial contraband laws in the ballot materials, and the consequences of a contrary interpretation—confirm that the voters did not intend to cast aside the longstanding, comprehensive statutory scheme prohibiting access to cannabis as a form of contraband in custodial institutions.

ARGUMENT

I. THE COURT MUST DETERMINE WHETHER PROPOSITION 64 RETROACTIVELY LEGALIZED THE POSSESSION OF LESS THAN AN OUNCE OF CANNABIS IN STATE CUSTODIAL INSTITUTIONS

As set out in the opening brief (OBM 12-13, 25-28), a key feature of Proposition 64 is a qualified provision legalizing certain acts involving 28.5 grams (about one ounce) or less of cannabis by persons 21 years of age or older. (Health & Saf.

Code, § 11362.1, added by Prop. 64, § 4.4, approved by voters Gen. Elec. (Nov. 8, 2016); see OBM 12.)[1] The affirmative legalization provision states that "notwithstanding any other provision of law, it shall be lawful under state and local law, and shall not be a violation of state or local law" for a person 21 years of age or older to possess, transport, or give away not more than 28.5 grams of cannabis, but such legalization is "[s]ubject to" four enumerated provisions. (§ 11362.1, subd. (a).) One of those provisions is a savings provision listing various laws that are *not* affected by the legalization provision. (§ 11362.45, added by Prop. 64, § 4.8.) And the saving provision expressly excepts from legalization, among other things, "[l]aws pertaining to smoking or ingesting cannabis or cannabis products on the grounds of or within, any facility or institution under the jurisdiction of the Department of Corrections and Rehabilitation . . . ." (*Id.* at subd. (d).) The Act also includes a retroactive relief provision allowing a person "currently serving a sentence" or who has "completed his or her sentence" to request the dismissal of his or her sentence or conviction if he or she "would not have been guilty of an offense, or [] would have been guilty of a lesser offense under the Control, Regulate and Tax Adult Use of Marijuana Act had that act been in effect at the time of the offense." (§ 11361.8, subds. (a) & (e), added by Prop. 64, § 8.7.)

Appellants were convicted of violating Penal Code section 4573.6, which prohibits the unauthorized possession of a

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[1] Statutory references are to the Health and Safety Code unless otherwise noted.

controlled substance "the possession of which is prohibited by Division 10 (commencing with Section 11000) of the Health and Safety Code." The judgments of conviction were final as to each appellant before the voters passed Proposition 64. Thus, in order to obtain relief, appellants must establish not only that (1) the voters intended to authorize inmate possession of 28.5 grams of cannabis going forward, removing that act from the scope of Penal Code section 4573.6's contraband prohibition, but also that (2) the voters intended to provide retroactive relief to inmates who violated such contraband laws before Proposition 64's passage. Appellants fail on both counts.

II. THE VOTERS DID NOT INTEND TO DISRUPT THE COMPREHENSIVE CUSTODIAL CONTRABAND LAWS

As discussed in the opening brief (OMB 9, 17-20), California's laws prohibiting contraband—including cannabis—in custodial institutions are designed to promote not just public health and safety, but also institutional security. (*People v. Low* (2010) 49 Cal.4th 372, 388, 391; see *United States v. Graves* (9th Cir. 2019) 925 F.3d 1036, 1040-1041; see also Pen. Code, §§ 4573 [smuggling drugs that are controlled substances], 4573.5 [smuggling], 4573.6 [unauthorized possession of drugs that are controlled substances], 4573.8 [unauthorized possession], 4573.9 [trafficking in controlled substances]; Welf. & Inst. Code, §§ 871.5 [smuggling or possessing drugs that are controlled substances in a local juvenile facilities], 1001.5 [smuggling or possessing drugs that are controlled substances in a state juvenile facility].) These laws "flow from the assumption that drugs, weapons, and other

contraband promote disruptive and violent acts in custody, including gang involvement in the drug trade." (*Low*, at pp. 387-388.)

Voter intent to alter a statutory scheme as comprehensive and longstanding as the one at issue here must be "formally expressed" and will not be implied. (*Ross v. RagingWire Telecommunications, Inc.* (2008) 42 Cal.4th 920, 930; see *People v. Valencia* (2017) 3 Cal.5th 347, 379 (conc. opn. of Kruger, J.).) Appellants' various attempts to locate a clear, formal, expressed intent by the voters to repeal custodial contraband laws as applied to cannabis fail.

A. The language of the savings clause, read in context, establishes that Proposition 64 did not legalize the possession of cannabis in custodial institutions

The most reasonable reading of the language of Health and Safety Code section 11362.45 is that it preserves Penal Code section 4573.6 and the rest of the custodial contraband laws from the sweep of the general legalization provision in Health and Safety Code section 11362.1. (See OBM 36-40.) The savings clause refers broadly to laws "pertaining to" smoking or ingesting cannabis in custodial institutions. (Health & Saf. Code, § 11362.45, subd. (d).) And the custodial contraband laws "pertain" to smoking or ingesting cannabis as that word is commonly understood. Specifically, the contraband laws establish a comprehensive and prophylactic scheme to interdict the supply of drugs, including cannabis, before they can be smoked or ingested in custodial institutions. (OBM 37; see *Low*,

supra, 49 Cal.4th at pp. 387-388.) The average voter thus likely understood that the savings clause would preserve laws that serve to prevent and prohibit the use of cannabis in prison, as laws prohibiting possession in prison do.

Appellants argue that, instead, the contraband savings clause must be read broadly because Proposition 64 had a broad, decriminalizing purpose. (ABM 11-13). They note the legalization of the possession of 28.5 grams of cannabis by an adult 21 years of age or older applies "notwithstanding any other provision." (§ 11362.1; see ABM 11-13.) But this clause cannot reflect a clear, formally expressed intent to legalize cannabis possession *in every place and circumstance*, because it is explicitly "[s]ubject to" several other exceptions and qualifications. (§ 11362.1, subd. (a).) The "subject to" exceptions include those laws "pertaining to smoking or ingesting cannabis or cannabis products on the grounds of, or within, any facility or institution under the jurisdiction of the Department of Corrections and Rehabilitation[.]" (§ 11362.45, subd. (d).)

Appellants next attempt to narrow the interpretation of the contraband savings clause by enlisting two traditional rules of construction. Appellants argue that under *expressio unius est exclusio alteriusi*, the express saving of laws pertaining to "smoking or ingesting" cannabis in custodial institutions means that antecedent conduct such as smuggling, furnishing, or possessing cannabis in those institutions is now legal. (ABM 14-16, 20-21.) They note that Proposition 64 in other places expressly excluded certain instances of possession from

legalization. For example, Health and Safety Code section 11362.3, subdivision (a)(5) provides that the legalization provision "does not permit any person to" "[p]ossess, smoke, or ingest cannabis or cannabis products in or upon the grounds of a school, day care center, or youth center when children are present." Appellants also invoke the rule against surplusage. (ABM 16-19.) They imply that if the exclusion applies to all laws relating to contraband cannabis in custodial institutions, then the reference to "smoking or ingesting" would serve no purpose.

Appellants' arguments are unavailing for a number of reasons. First, appellants assume that the phrase "pertaining to" was designed to narrow the custodial-institution exception. They argue that the phrase encompasses only those laws that are focused on and expressly prohibit the defined conduct. As discussed in the opening brief (OBM 37), however, the word "pertain" is broad, denoting a relationship. (See, e.g., Black's Law Dict. (11th ed. 2019) ["relate directly" or "to concern or have to do with"]; Merriam-Webster's Collegiate Dict. (10th Ed. 2000) p. 866, col. 1 ["to belong or be connected as a part, adjunct, possession, or attribute"].) And there is a close relationship between the possession of cannabis and its use. As appellants acknowledge, "there are few purposes for possessing a drug other than for some person to eventually use it." (ABM 15.)

There is further evidence in the text that "pertaining to" should be read broadly. The three subdivisions setting out additional exceptions from legalization that precede section 11362.45, subdivision (d) refer to laws "prohibiting" certain

conduct and laws "making it unlawful" to engage in certain other conduct. (§ 11362.45, subds. (a), (b), (c).)[2] As a general rule, "when different words are used in contemporaneously enacted, adjoining subdivisions of a statute, the inference is compelling that a difference in meaning was intended." (*People v. Jones* (1988) 46 Cal.3d 585, 596, italic omitted.) Given the different terminology used here, it is reasonable to assume that the voters understood the savings clause for cannabis in custodial institutions would preserve more than just those laws "prohibiting" or "making [] unlawful" the smoking or ingesting of cannabis.

The use of the broad term "pertaining to" makes sense, as it would it have been impractical to list every act related to cannabis use that remains illegal when committed in a custodial institution.[3] As discussed in the opening brief (OBM 18-20, 39-40), the custodial contraband laws refer to a variety of conduct involving cannabis such as possessing, bringing, sending, selling, furnishing, administering, or giving it away. (Pen. Code, §§ 4573,

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[2] Specifically, those subdivisions refer to laws "making it unlawful" to operate a vehicle while under the influence of cannabis (§ 11362.45, subd. (a)), laws "prohibiting" the distribution of cannabis (*id.* at subd. (b)), and laws "prohibiting" a person younger than 21 years of age from engaging in activity that would be lawful for an older adult (*id.* at subd. (c)).

[3] Appellants recognize the utility of this type of encompassing language. They argue, similarly, that the reference to smoking or ingesting cannabis must include other methods of introducing cannabis into the body not expressly set out in the statute, because "it would not be practical" to list every form of consumption. (ABM 18-19.) Respondent agrees.

4573.5, 4573.6, 4573.8, 4573.9; Welf. & Inst. Code, §§ 871.5, 1001.5.) By using the "pertaining to" language, the voters were able to save all of those laws without fear that an unintentional omission would create a loophole in the comprehensive scheme.[4]

And, contrary to appellants' suggestion, the express references to "possession" in Health and Safety Code section 11362.3, addressing use and possession of cannabis in various places such as those accessible to children and other members of the general public, does not suggest that the voters intended section 11362.45, subdivision (d), which applies to custodial institutions, to be read narrowly. Although the provisions were enacted together as part of Proposition 64, they serve different functions. Health and Safety Code section 11362.3 defines conduct that is the subject of criminal penalties in section 11362.4. For example, "[a] person who engages in the conduct described in paragraph (1) of subdivision (a) of Section 11362.3 [smoking or ingesting cannabis in a public place] is guilty of an infraction . . . ." (Health & Saf. Code, § 11362.4, subd. (a).) In contrast, Health and Safety Code section 11362.45 preserves laws governing conduct in custodial institutions that are set out elsewhere (specifically, in the Penal Code and Welfare and Institutions Code). And, unlike any of the provisions in section 11362.3, the savings clause in section 11362.45 includes the

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[4] Appellants suggest that the voters "could have simply said, 'Section 11362.1 does not affect Penal Code sections 4573 through 4573.9.'" (ABM 20.) But, if the voters had done so, they would have unintentionally omitted the laws governing juvenile facilities. (Welf. & Inst. Code, §§ 871.5, 1001.5.)

broad "pertaining to" language. Thus, the fact that the savings clause does not list smuggling, furnishing, possessing, or any of the other antecedent acts that pertain to smoking or ingesting cannabis in a custodial institution does not reflect an express intent by the voters to exclude those activities from the legalization savings clause.

Finally, appellant's interpretation is not required by the surplusage canon. The language employed in section 11362.45, subdivision (d) conveyed in a reasonable, commonsense way that while Proposition 64 would create a legal, regulated market for the general public's recreational use of cannabis, that legalization would not extend to prisons and other custodial institutions. Granted, the drafters of Proposition 64 could have written a clearer or more efficient version of that provision, but such is the nature of the initiative process. As this Court has "made clear . . . like all such interpretive canons, the canon against surplusage is a guide to statutory interpretation and is not invariably controlling." (*Valencia*, *supra*, 3 Cal.5th at p. 381 (conc. Opn. of Kruger, J.); see *People v. Cruz* (1996) 13 Cal.4th 764, 782.) Excepting the custodial contraband laws from the legalizing effects of Proposition 64 "is more consistent with voter intent despite the minor redundancy" that appellants have proffered. (See *People v. Rizo* (2000) 22 Cal.4th 681, 687.)

B. The ballot materials confirm that the voters did not intend to legalize the possession of cannabis in custodial institutions

Materials contained in the Official Voter Information Guide confirm this reading of Proposition 64 and the savings provision

governing cannabis in custodial institutions. As discussed in the opening brief (OBM 40-43), the neutral analyses and partisan arguments in the Voter Guide did not mention the contraband laws or suggest that Proposition 64 would amend or repeal them in any way. (Official Voter Information Guide, Gen. Elec. (Nov. 8, 2016) pp. 90-99.) This omission is telling; if the measure had been intended to repeal longstanding contraband laws as applied to cannabis, the voters would have reasonably expected the ballot materials to mention that effect with specificity. (*Valencia*, *supra*, 3 Cal.5th at p. 364, fn. 6.)

Appellants argue that the Voter Guide disclosed, albeit by negative implication, that Proposition 64 would legalize the possession of cannabis in custodial institutions. (ABM 23-28.) They observe that the materials repeatedly described Proposition 64 as legalizing the possession of not more than 28.5 grams of cannabis by adults 21 years of age or older, subject to certain exceptions. And they argue that, because the materials mentioned some locational exceptions—namely possession on the grounds of a school, day care center, or youth center while children are present—but not possession in a custodial institution, the voters would have recognized the negative implication that Proposition 64 legalized such possession. (ABM 26; see Voter Guide, *supra*, at p. 93, fig. 2.)

Appellants' argument might have some merit if the Voter Guide had included the criminalization of cannabis possession and trade in prison as one of the social ills to be remedied by Proposition 64. (See Voter Guide, *supra*, arguments in favor of

Prop. 64, p. 98 [the measure ends criminalization of "responsible" adult use].) But the materials the voters received did not alert them to any change in the contraband laws. The Legislative Analyst's description of existing law focused on those laws affecting recreational use of cannabis by members of the general public without regard to the contraband laws and effects on inmates. For example, the background materials described the status quo as providing only that "possession of less than one ounce of marijuana . . . is punishable by a fine," even though unauthorized possession of any quantity in a custodial institution was actually a felony under Penal Code section 4573.6. (Voter Guide, *supra*, at p. 90; *id*. at p. 94 [not discussing contraband statutes when stating that "possession of one ounce or less of marijuana is currently punishable by a $100 fine"].) As a result, the ballot materials "signaled no relationship at all" between the measure and the contraband statutes. (*Valencia*, *supra*, 3 Cal.5th at p. 367.)

Accordingly, even the most careful of voters would have had no reason to believe that Proposition 64 would alter the comprehensive statutory scheme addressing cannabis and other controlled substances as contraband in custodial institutions.

C. Reading Proposition 64 to repeal the custodial contraband statutes would lead to unreasonable and unintended consequences

In the opening brief, the People explained how adopting appellants' proposed construction of Health and Safety Code, § 11362.45, subdivision (d) would lead to unreasonable consequences. (OBM 43-47.) These would include requiring the

State's custodial institutional to rely entirely on administrative sanctions to stem the tide of cannabis flowing into correctional institutions, and treating the possession of cannabis on the grounds of a high school more severely than the possession of the same substance on the grounds of a juvenile facility under the jurisdiction of the Division of Juvenile Justice. (OBM 43-47.) Such results cannot have been intended by the voters—especially where the ballot materials did not disclose or analyze potential effects on the State's custodial institutions.

Appellants argue that their interpretation would not in fact lead to unreasonable and unintended consequences. (ABM 36-41.) They suggest that the voters could have reasonably believed that administrative sanctions would be sufficient to control the unauthorized possession of cannabis in custodial institutions based on prior experience with contraband tobacco and medical marijuana. (ABM 37.) They also suggest that the voters might have believed that nothing short of actual consumption warrants criminal sanctions, even in a custodial setting. (ABM 39-40.) They argue that "'the ultimate evil with which the Legislature was concerned [in enacting the contraband laws] was drug *use* by prisoners.'" (ABM 40, quoting *People v. Gutierrez* (1997) 52 Cal.App.4th 380, 386.) And they posit that it would not have been unreasonable to repeal all of the custodial contraband laws in order to avoid the imposition of criminal penalties on people who are not inmates. (ABM 41-42.)

These arguments are unpersuasive. As noted, the ballot materials did not mention the criminal contraband laws, and so

too did they not mention the difference between those laws and administrative sanctions—much less the possibility of trying to combat contraband trafficking, possession, and use through administrative sanctions alone. Nor did the ballot materials give the voters any way to predict the efficacy of administrative sanctions in the absence of criminal penalties. The materials did not, for example, include data regarding the amount of contraband tobacco and contraband cannabis that prison officials had seized prior to Proposition 64. (See Pen. Code, § 5055.5, subd. (c)(7) [requiring the Department of Corrections and Rehabilitation to publicly report the total amount of "contraband seized, specifying the number of cellular telephones and drugs"].) If Proposition 64 proposed to repeal the criminal contraband laws, the voters would have reasonably expected at least some summary of the available data concerning the effect and value of those laws to appear in the ballot materials. (See *Valencia*, *supra*, 3 Cal.5th at p. 364, fn. 6.)

Appellants' reliance on *Gutierrez* fares no better. In that case, the defendant argued that the crime of possessing drug paraphernalia in a custodial institution requires a specific intent to use the item as designed. (*Gutierrez*, *supra*, 52 Cal.App.4th at pp. 386-387.) In that context, while the *Gutierrez* court observed that the Legislature was concerned with drug use by prisoners, it also explained that the mere presence of contraband in a custodial institution is harmful. (*Ibid*.) Indeed, even if the person who possesses contraband did not intend to use it, "its mere presence in the jail posed the threat that *some* prisoner

would use it." (*Id.* at p. 387.) This Court similarly observed that exempting inmates from the prohibition on smuggling contraband into a custodial institution would "undermine the legislative aim to maintain order and safety therein." (*Low*, *supra*, 49 Cal.4th at p. 376.) Indeed, aside from their consumption, "drugs, weapons, and other contraband promote disruptive and violent acts in custody, including gang involvement in the drug trade." (*Id.* at pp. 387-388.) There is nothing in the ballot materials to suggest that the voters, in passing Proposition 64, were motivated by a belief that nothing short of actual consumption warrants criminal punishment, even in a custodial institution.

Nor is there any indication in the ballot materials that the voters were concerned about imposing criminal sanctions on people who pass into custodial institutions but who are not inmates, such as teachers, janitors, guards, grounds keepers, attorneys, and visiting friends and family, as appellants suggest. (ABM 41-42.) The contraband statutes already include reasonable protections for non-inmates who might not be aware of prison contraband laws. For example, the contraband statutes provide that "[t]he prohibitions and sanctions addressed in this section shall be clearly and prominently posted outside of, and at the entrance to, the grounds of all detention facilities . . . ." (See, e.g., Pen. Code, § 4573.6, subd. (b).) And a person is guilty only if he or she "knowingly" possesses the contraband "without being authorized to so possess the same by the rules of the Department of Corrections, rules of the prison or jail, institution, camp, farm

or place, or by the specific authorization of the warden, superintendent, jailer, or other person in charge . . . ." (Pen. Code, § 4573.6, subd. (a).) Moreover, appellants do not explain why the voters would want to legalize adults carrying up to an ounce of cannabis on the grounds of a custodial facility—particularly a juvenile facility—but maintain penalties for adults carrying the same on the grounds of a school, daycare center, or youth center. (See §§ 11357, subd. (c), 11362.3, subd. (a)(5), 11362.4, subd. (c).)

The serious adverse and undisclosed consequences of repealing the criminal contraband laws as they relate to cannabis confirm that the voters did not intend to change the status quo with regard to those laws.

III. THE VOTERS DID NOT INTEND TO PROVIDE RETROACTIVE RELIEF FROM VALID PENAL CODE CONTRABAND CONVICTIONS

The People acknowledged in the opening brief that the passage of Proposition 64 might have an effect on future charging decisions regarding which particular custodial contraband law would apply to the possession of cannabis. (OBM 31-33.) Specifically, due to the removal of certain prohibitions from division 10 of the Health and Safety Code, going forward, the possession of cannabis in a custodial institution might be better charged prospectively as a violation of Penal Code section 4573.8 (which prohibits the possession of drugs) rather than of Penal Code section 4573.6 (which prohibits the possession of controlled substances "the possession of which is prohibited by Division 10"). But Proposition 64 has no effect on a judgment for violating

a custodial contraband law—such as Penal Code section 4573.6—if the judgment was final before Proposition 64 took effect. And, because the judgments at issue here were already final, the passage of Proposition 64 did not affect the judgments or otherwise entitle appellants to retroactive relief. (OBM 47-48.)

The electorate "may choose to modify, limit, or entirely forbid the retroactive application of ameliorative criminal law amendments if it so chooses." (*People v. Conley* (2016) 63 Cal.4th 646, 656.) And, when the voters enact a special procedure for obtaining retroactive relief, they presumably intend to provide relief only as described in that procedure. (See *id*. at pp. 657-659.)

Here, the remedial procedure in Health and Safety Code section 11361.8 demonstrates that the voters did not intend persons to be able to obtain retroactive relief from final judgments for violating the custodial contraband laws. The remedial statute generally applies only to defendants "who would not have been guilty of an offense, or who would have been guilty of a lesser offense" under the law as amended by Proposition 64. (§ 11361.8, subd. (a).) But the resentencing for a lesser offense must be "in accordance with" certain specified statutes, namely Health and Safety Code sections 11357, 11358, 11359, 11360, 11362.1, 11362.2, 11362.3, and 11362.4. (*Ibid*.)[5] The custodial

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[5] Those statutes generally proscribe possession (§ 11357), cultivation (§ 11358), possession for sale (§ 11359), and transportation (§ 11360) except in regards to certain quantities by certain adults (§ 11362.1) subject to additional restrictions on

(continued…)

contraband laws set out in the Penal Code (and in the Welfare and Institutions Code) are conspicuously absent from that list.

Appellants nonetheless ask for complete dismissal of their convictions on the ground that they would not have been guilty of any offense under Proposition 64. But, unless Proposition 64 repealed all of the custodial contraband laws as applied to cannabis, appellant would still be guilty of violating at least Penal Code section 4573.8, which prohibits the unauthorized possession of "drugs in any manner." Appellants cannot dispute that cannabis remains a "drug" under any definition of the term. As a result, appellants are not among the class of defendants "who would not have been guilty of an offense" under Proposition 64. (Health & Saf. Code, § 11361.8, subd. (a).)

Appellants' requests for dismissal of their convictions are, accordingly, without merit.

(…continued)
cultivation (§ 11362.2) and illegal possession or consumption in certain locations open to children and other members of the general public (§§ 11362.3, 11362.4).

CONCLUSION

For the foregoing reasons, the order of the Court of Appeal directing the superior court to grant appellants' requests for retroactive relief from their convictions for violating Penal Code section 4573.6 should be reversed and the orders denying those requests should be affirmed.

Dated: June 11, 2020

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that the attached Respondent's Reply Brief uses a 13-point Century Schoolbook font and contains 4,041 words.

Dated: June 11, 2020

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Attorney General of California

/s/ Ryan B. McCarroll

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DECLARATION OF ELECTRONIC SERVICE

Case Name: **People v. Raybon**
No.: **S256978**

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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 June 11, 2020, at Sacramento, California.

A. Cerussi	*/s/ A. Cerussi*
Declarant	Signature

SA2019104551

Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
Electronically FILED on 6/11/2020 by Robert Toy, Deputy Clerk

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

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Case Number: **S256978**
Lower Court Case Number: **C084853**

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