

# SUPREME COURT COPY

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Member, Maine California,  
New Jersey Bars

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Mr. Frank McGuire  
Clerk of Court  
California Supreme Court  
350 McAllister St.  
San Francisco, CA 94102

May 5, 2014

SUPREME COURT  
FILED

MAY 06 2014

Frank A. McGuire Clerk  

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Deputy

**Re: People v. Justin Merriman- S097363**

Dear Mr. McGuire,

Please allow this letter to serve as appellant's New Authority letter as permitted by Court Rule. I attach two copies of this letter and proof of service.

Regarding my Argument XI, which I will be arguing as per my focus letter of this same date, please be advised of the following.

Since the filing of Appellant's Reply Brief, there have been many cases decided by this Court that directly relate to said Argument XI. The cases I may rely upon in that Argument are as follows:

People v. Montes (2014) 58 Cal.4th 809.

People v. Duff (2014) 58 Cal.4th 527

People v. Whelan (2013) 56 Cal.4th 1

People v. Williams (George) (2013) 56 Cal.4th 660

People v. Williams (Corey) (2013) 56 Cal.4th 182

People v. Rountree (2013) 56 Cal.4th 823

People v. Pearson (2013) 56 Cal.4th 393

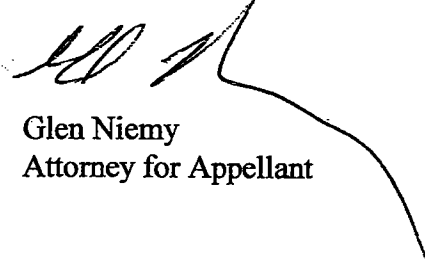
# DEATH PENALTY

People v. Jones (2012) 54 Cal.4th 1

People v. Watkins (2012) 55 Cal.4th 999

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Glen Niemy', with a long, sweeping underline that extends to the right and then curves downwards.

Glen Niemy  
Attorney for Appellant

cc Morey Garelick, Esq  
CAP  
Jamie Fuster, Esq. Attorney General  
Justin Merriman  
Susan Garvey, Esq, HCRC

DECLARATION OF SERVICE BY MAIL

**GLEN NIEMY**  
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**S097363**  
**(Ventura Co Superior Ct**  
**CR 45651)**

DECLARATION OF SERVICE

I, the undersigned, say: I am a citizen of the United States of America, over 18 years of age employed in Bridgton, ME, County of Cumberland, in which county the within-mentioned delivery occurred, and not a party to the subject cause. My business address is P.O. Box 764, 156 Main St, Bridgton, ME 04009. I served a copy of three separate documents, **Appellant's Focus Letter for Oral Argument, Appellant's New Authorities Letter for Oral Arguments, and Appellant's Appearance Sheet for Oral Argument**, of which a true and correct copy of the document filed in this cause is affixed, by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each addressee respectfully as follows

Jamie Fuster, Esq  
Attorney General's Office  
300 S. Spring St  
Los Angeles, CA 90013

Mordecai Garelick, Esq  
CAP  
101 2<sup>nd</sup> St, Ste 600  
San Francisco, CA 94105

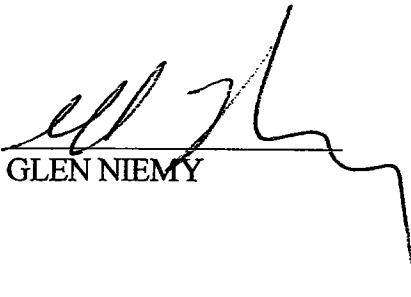
Justin Merriman  
P.O. Box T-15293  
San Quentin State Prison  
San Quentin, CA 94974

Susan Garvey, Esq  
Habeas Corpus Resource Center  
303 2<sup>nd</sup> St, Ste 400  
San Francisco, CA 94107

Each envelope was then sealed and with the postage thereon fully prepared deposited in the United States Mail by me at Bridgton, ME 04009 on May 5, 2014

I declare under the penalty of perjury and the laws of California and Maine is true and correct.

Executed May 5, 2014 at Bridgton, ME

  
GLEN NIEMY