

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555
Telephone: (916) 210-7699
Facsimile: (916) 324-2960
E-Mail: Catherine.Chatman@doj.ca.gov

September 19, 2018

SUPREME COURT
FILED

SEP 20 2018

Jorge Navarrete Clerk

Deputy

Jorge Navarrete
Clerk and Executive Officer
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102

Re: *Avitia (Leo) v. the Superior Court of San Joaquin County (People, Real Party in Interest)*
California Supreme Court case number S242030

Dear Mr. Navarrete:

This case is fully briefed and scheduled for oral argument on Tuesday, October 2, 2018, at 9:00 a.m., in San Francisco. For the Court's consideration, the People cite as additional authority a published California Court of Appeal opinion that was decided after briefing was completed in this case.

The case is *Jackson v. Superior Court of Contra Costa County (People, Real Party in Interest)* (2018) 25 Cal.App.5th 515, petition for review filed August 30, 2018, No. S250995.

Sincerely,

A handwritten signature in black ink that reads "Catherine Chatman".

CATHERINE CHATMAN
Supervising Deputy Attorney General

For XAVIER BECERRA
Attorney General

CC: par

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Avitia v. Superior Court**

No.: **S242030**

I declare:

I am employed in the Office of the Attorney General, 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 the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. 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.

On September 19, 2018, I served the attached **LETTER TO SUPREME COURT OF CALIFORNIA RE: ADDITIONAL AUTHORITY** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

David J. Cohen
Bay Area Criminal Lawyers, PC
300 Montgomery Street, Suite 660
San Francisco, CA 94104
(Attorney for Petitioner)

Alexander P. Guilmartin
Bay Area Criminal Lawyers, PC
300 Montgomery Street, Suite 660
San Francisco, CA 94104
(Attorney for Petitioner)

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 19, 2018, at Sacramento, California.

P. Robles
Declarant

Signature