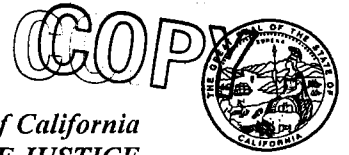


# SUPREME COURT COPY



KAMALA D. HARRIS  
Attorney General

State of California  
DEPARTMENT OF JUSTICE

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May 7, 2014

Frank A. McGuire  
Clerk of the Supreme Court  
California Supreme Court  
350 McAllister Street  
San Francisco, CA 94102

SUPREME COURT  
FILED

MAY 12 2014

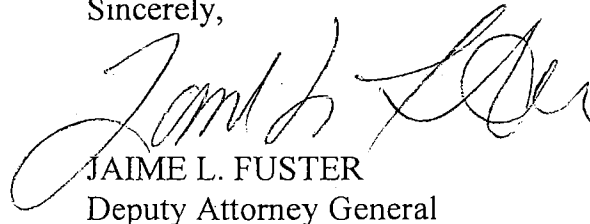
Frank A. McGuire Clerk  
Deputy

RE: *People v. Justin Merriman (Death Penalty)*  
Case No. S097363; Our File No. LA2001XS0004

Dear Mr. McGuire:

The Court has requested that counsel advise the Court and opposing counsel by letter of those issues on which counsel expects to focus at oral argument, calendared for May 29, 2014, in San Francisco. As counsel for respondent, I intend to focus my argument on the issues identified in opposing counsel's focus letter. I have been advised that appellant will focus on: Argument I, which alleges the trial court erred in failing to grant a mistrial on the ground that Juror No. One was prejudicially biased against appellant; and Argument XI, which alleges the trial court erred in dismissing prospective Juror Billic for cause due to her reluctance to consider imposing the death penalty in a single-murder case. In addition, I will be prepared to address any matter of interest to the Court.

Sincerely,



JAIME L. FUSTER  
Deputy Attorney General

For KAMALA D. HARRIS  
Attorney General

DEATH PENALTY

## DECLARATION OF SERVICE

Case Name: **People v. Merriman**

No.: **S097363**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the Bar of this Court at which member's direction this service is made. I am 18 years of age or older and not a party to the within entitled cause; 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 that same day in the ordinary course of business.

On May 8, 2014, I placed the attached

LETTER DATED May 7, 2014 TO FRANK A. MCGUIRE RE PEOPLE  
V. MERRIMAN, S097363

in the internal mail collection system at the Office of the Attorney General, 300 S. Spring Street, Los Angeles, California 90013, for deposit in the United States Postal Service that same day in the ordinary course of business, in a sealed envelope, postage thereon fully prepaid, addressed as follows:

Susan Garvey, Helen Struck,  
Lily Harvey  
Attorneys at Law  
Habeas Corpus Resource Center  
303 Second Street, Suite 400 South  
San Francisco, CA 94107

Glen Niemy  
Attorney at Law  
P.O. Box 764  
Bridgton, ME 04009

I declare under penalty of perjury the foregoing is true and correct and that this declaration was executed on May 8, 2014, at Los Angeles, California.

L. Luna

  
Signature

JLF:11  
LA2013609301  
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