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DEPARTMENT OF JUSTICE

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May 21, 2020

The Honorable Jorge E. Navarrete
Clerk and Executive Officer
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

RE: *People v. Arturo Juarez Suarez*
Supreme Court of California, Case No. S105876
Napa County Superior Court, Case No. CR 103779
Notice of Supplemental Authorities

To Chief Justice Tani Cantil-Sakauye, and the Associate Justices of the Supreme Court of the State of California:

Please consider the following authorities, issued since the filing of the respondent's brief, in connection with the resolution of the above-entitled automatic appeal:

Issue VII: Appellant's Repeated Confessions Were Not Improperly Procured or Admitted

- *People v. Spencer* (2018) 5 Cal.5th 642, 668-669 [*Miranda* advisement not required where officers from a different agency interviewed defendant five hours after initial interrogation about different crimes because defendant remained in custody in the interim, was reminded of his prior advisement, and indicated that he understood the prior advisement and had waived his rights, even though he did not have past experience with the criminal justice system]

Issues VII & VIII: Appellant’s Repeated Confessions Were Not Improperly Procured or Admitted, and the Trial Court Did Not Err in Finding Any Violation of the Vienna Convention on Consular Relations Was Negligent and Nonprejudicial

- *People v. Leon* (2020) 8 Cal.5th 831, 847 [rejecting claim under Vienna Convention because “Defendant was told, clearly and in Spanish, that he had the rights to remain silent and have an attorney’s assistance” but “asked no questions and exhibited no confusion or hesitation before waiving these protections” and “seemed eager to talk with the officers”]

Issue XV: The Trial Court Did Not Abuse Its Discretion in Admitting Crime Scene and Autopsy Photos

- *People v. Caro* (2019) 7 Cal.5th 463, 502 [affirming admission of child autopsy photos because, even though the cause of death was not contested, the photos “provided valuable context for understanding how the expert reached her conclusions about the nature of the shootings”]

Sincerely,

/s/ Leif M. Dautch
LEIF M. DAUTCH
Deputy Attorney General
State Bar No. 283975

For XAVIER BECERRA
Attorney General

LMD:

DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S. MAIL

Case Name: *People v. Arturo Juarez Suarez*

No.: **S105876**

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 collecting and processing electronic and physical correspondence. 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. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On May 21, 2020, I electronically served the attached **LETTER re: NOTICE OF SUPPLEMENTAL AUTHORITIES** by transmitting a true copy via this Court's TrueFiling system.

Lisa R. Short
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The Honorable Allison Haley
District Attorney, Napa County
district_attorney-office@co.napa.ca.us

Michael R. Snedeker, Esq.
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Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on May 21, 2020, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

County of Napa
Criminal Courthouse
Superior Court of California
1111 Third Street
Napa, CA 94559
[Served by U.S. Mail]

California Appellate Project (SF)
101 Second Street, #600
San Francisco, CA 94105
E-Mail: filing@capsf.org
[Served by E-Mail]

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 May 21, 2020, at San Francisco, California.

M. T. Otones

Declarant

/s/ M. T. Otones

Signature

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. SUAREZ (ARTURO JUAREZ)**

Case Number: **S105876**

Lower Court Case Number:

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **leif.dautch@doj.ca.gov**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

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

5/21/2020

Date

/s/Maria Otnes

Signature

Dautch, Leif (283975)

Last Name, First Name (PNum)

California Attorney General's Office

Law Firm