
Office of the State Public Defender

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January 25, 2019

Mr. Jorge E. Navarrete, Clerk
Supreme Court of California
350 McAllister St.
San Francisco, CA 94102-3600

Re: *People v. Kerry Lyn Dalton*
Supreme Court of California Case No. S046848

Dear Mr. Navarrete:

I will be presenting oral argument in this case on behalf of appellant, Kerry Lyn Dalton, in Sacramento on the 1:30 p.m. calendar, on Tuesday, February 5, 2019. At that hearing, I intend to focus my argument on the following issues:

XX: The Prosecutor Committed Prejudicial Misconduct by Informing the Jury That the Presumption of Innocence Was Gone and Diluting and Trivializing the Burden of Proof and the Jury's Deliberative Process;

XXI: This Court Should Reverse Ms. Dalton's Conspiracy Conviction Because It Was Time-Barred by the Three-Year Statute of Limitations

Thank you for bringing this letter to the Court's attention.

Sincerely,

/s/

JOLIE LIPSIG
Supervising Deputy State Public Defender

DECLARATION OF SERVICE

Case Name: ***People v. Kerry Lyn Dalton***
Case Number: **Supreme Court Case No. S046848**
San Diego County Superior Court No. 135002

I, **Marsha Gomez**, declare as follows: I am over the age of 18, and not party to this cause. I am employed in the county where the mailing took place. My business address is 770 L Street, Suite 1000, Sacramento, California 95814. I served a true copy of the following document:

ORAL ARGUMENT FOCUS LETTER

by enclosing it in envelopes and placing the envelopes for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

The envelopes were addressed and mailed on **January 25, 2019**, as follows:

Kerry Lyn Dalton, W-42583 504-C1-138L Central California Women's Facility Post Office Box 1508 Chowchilla, CA 93610	
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The aforementioned document(s) were served electronically (via TrueFiling) to the individuals listed below on **January 25, 2019**:

Christen Somerville Deputy Attorney General Office of the Attorney General Post Office Box 85266 San Diego, CA 92186-5266	California Appellate Project 101 Second Street, Suite 600 San Francisco, CA 94105
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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. Signed on **January 25, 2019**, at Sacramento, CA.

/s/

MARSHA GOMEZ

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. DALTON (KERRY
LYN)**

Case Number: **S046848**

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: **jolie.lipsig@ospd.ca.gov**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
LETTER	Focus Letter for Oral Argument

Service Recipients:

Person Served	Email Address	Type	Date / Time
Attorney General - San Diego Office Christen Somerville, Deputy Attorney General SDG	christen.somerville@doj.ca.gov	e-Service	1/25/2019 10:23:16 AM
Christen Somerville California Dept of Justice, Office of the Attorney General 299690	Christen.Somerville@doj.ca.gov	e-Service	1/25/2019 10:23:16 AM
Christen Somerville California Dept of Justice, Office of the Attorney General 299690	Christen.Somerville@doj.ca.gov	e-Service	1/25/2019 10:23:16 AM
eService California Appellate Project California Appellate Project 000000	filing@capsf.org	e-Service	1/25/2019 10:23:16 AM
SDAG Docketing Department of Justice, Office of the Attorney General-San Diego	sdag.docketing@doj.ca.gov	e-Service	1/25/2019 10:23:16 AM
Stephen McGee Department of Justice, Office of the Attorney General-San Diego	Stephen.McGee@doj.ca.gov	e-Service	1/25/2019 10:23:16 AM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

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

1/25/2019

Date

/s/Jolie Lipsig

Signature

Lipsig, Jolie (104644)

Last Name, First Name (PNum)

Office of the State Public Defender

Law Firm