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January 14, 2021

By TrueFiling

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

Attention: Automatic Appeals

Re: People v. Sandi Dawn Nieves, No. S092410

Argument Date: February 2, 2021 9:00 a.m.

Appellant's Focus Issues

Dear Mr. Navarrete:

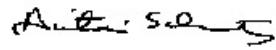
I represent appellant Sandi Dawn Nieves in this automatic appeal. At the oral argument, I presently intend to focus on the following issues and any others that may be raised by the Court or the Attorney General. The issues listed are not necessarily in the order they will be presented.

1. Judicial Misconduct and Bias [with subfocus on structural and prejudicial error] (Argument Heading III)
2. Instructions Allowing the Jury to Consider Discovery Violations Attributable to the Defendant as a Basis for Guilt and For a Finding that Death is the Appropriate Punishment [former CALJIC 2.28](Argument Headings XIII and XXIV)
3. Exclusion of Defense Expert Dr. Kyle Boone from Testifying at the Penalty Phase of the Trial (Argument Heading XIX)

I will also request 45 minutes for argument.

Thank you for bringing this letter to the attention of the Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "A. Schwartz".

Amitai Schwartz
Attorney for Appellant
Sandi Dawn Nieves

See Proof of Service

PROOF OF SERVICE

Re: The People of the State of California vs. Sandi Dawn Nieves, California
Supreme Court Case No. S092410

I, Amitai Schwartz, declare that I am over 18 years of age, and not a party to the within cause; my business address is 2000 Powell Street, Suite 1286, Emeryville, CA 94608. I served a true copy of the attached

Focus Letter dated January 14, 2021

on the following by TrueFiling:

Attorney General
Kristen J. Inberg, Deputy Attorney General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Kirsten.Inberg@doj.ca.gov
DocketingLAAWT@doj.ca.gov
(by True Filing and email on the same date)

Docket Clerk
California Appellate Project
345 California Street, Suite 1400
San Francisco, California 94104
(by True Filing: filing@capsf.org)

I served a copy by placing it in an envelope addressed to the parties listed below, which envelope was then sealed by me and deposited in United States Mail, postage prepaid, at Emeryville, California, on January 14, 2021.

Sandi Nieves
W-87025
Central California Women's Facility
P.O. Box 1501
Chowchilla, CA 93610-1501

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 14, 2021 at Emeryville, California.

/s/ Amitai Schwartz

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. NIEVES (SANDI
DAWN)**

Case Number: **S092410**

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: **amitai@schwartzlaw.com**
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
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Service Recipients:

Person Served	Email Address	Type	Date / Time
Kristen Inberg Office of the Attorney General 311744	kristen.inberg@doj.ca.gov	e-Serve	1/14/2021 5:16:58 PM
Mary Sanchez Office of the Attorney General 162541	mary.sanchez@doj.ca.gov	e-Serve	1/14/2021 5:16:58 PM
Amitai Schwartz Attorney at Law 55187	amitai@schwartzlaw.com	e-Serve	1/14/2021 5:16:58 PM
Office Office Of The State Attorney General Court Added	docketinglaawt@doj.ca.gov	e-Serve	1/14/2021 5:16:58 PM
Jaime Fuster Office Of The Attorney General 137582	Jaime.Fuster@doj.ca.gov	e-Serve	1/14/2021 5:16:58 PM

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.

1/14/2021

Date

/s/Amitai Schwartz

Signature

Schwartz, Amitai (55187)

Last Name, First Name (PNum)

Law Office of Amitai Schwartz

Law Firm