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February 12, 2019

*Via TrueFiling*

Supreme Court of California  
Attn: Mr. Jorge E. Navarrete  
Court Administrator and Clerk of the Supreme Court  
350 McAllister Street  
San Francisco, CA 94102-4797

Re: *People v. Cuitlahuac Tahua Rivera*, No. S153881  
Additional Authorities Not Available at Time of Briefing

Dear Mr. Navarrete:

Appellant submits the following additional authorities:

1. *People v. Salazar* (2016) 63 Cal.4th 214 (AOB, Arg. 2);
2. *Maquiz MacDonald v. Hedgpeth* (9th Cir. Nov. 5, 2018, No. 16-55240) \_\_ F.3d \_\_ (AOB, Arg. 7);
3. *People v. Perez* (2017) 18 Cal.App.5th 598 (AOB, Arg. 7);
4. *People v. Franklin* (2016) 248 Cal.App.4th 938 (AOB, Arg. 7);
5. *People v. Merritt* (2017) 2 Cal.5th 819 (AOB, Arg. 8);
6. *Hurst v. Florida* (2016) 577 U.S. \_\_ [136 S.Ct. 616] (AOB, Arg. 18).

Respectfully submitted,

/s/ Stephen M. Lathrop  
Stephen M. Lathrop

Attorney for Defendant/Appellant  
Cuitlahuac Tahua Rivera

**Proof of Service**

I, Stephen M. Lathrop, declare, that I am over the age of 18 years, not a party to the case, and am a member of the California State Bar. My electronic service address is [lathrop126813@gmail.com](mailto:lathrop126813@gmail.com). My business address is 904 Silver Spur Road #430, Rolling Hills Estates, CA 90274. I am familiar with the business practice for collecting and processing electronic and physical correspondence.

On February 12, 2019, I mailed or electronically served a copy of **Additional Authorities Not Available at Time of Briefing** by (1) mailing a copy thereof to the physical addresses set forth below and (2) electronically serving a copy thereof to the e-mail addresses set forth below, as follows:

Darren Indermill, Deputy Attorney General, via TrueFiling  
California Appellate Project, via TrueFiling

Cuitlahuac Tahua Rivera (#T-35975)  
CSP-SQ; 5 E/Y 44  
San Quentin, CA 94974

I am a resident of or employed in the county where the mailing occurred. The document was served from Rolling Hills Estates, California. 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 February 12, 2019, at Rolling Hills Estates, California.

/s/ Stephen M. Lathrop  
Declarant

STATE OF CALIFORNIA  
Supreme Court of California

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
Supreme Court of California

Case Name: **PEOPLE v. RIVERA (CUITLAHUAC TAHUA)**

Case Number: **S153881**

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: **lathrop126813@gmail.com**
3. I served by email a copy of the following document(s) indicated below:

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Stephen Lathrop Stephen Lathrop 126813	lathrop126813@gmail.com	e-Service	2/12/2019 1:04:29 PM
Stephen Lathrop Lathrop & Villa 126813	stephen.lathrop@cox.net	e-Service	2/12/2019 1:04:29 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.

2/12/2019

Date

/s/Stephen Lathrop

Signature

Lathrop, Stephen (126813)

Last Name, First Name (PNum)

Stephen Lathrop

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Law Firm