

COPY

**J**AMES S. THOMSON  
Attorney and Counselor at Law

SUPREME COURT COPY

AAron S. Jones - Paralegal - Office Manager

February 17, 2016

Frank A. McGuire  
Clerk of the Supreme Court  
Supreme Court of California  
350 McAllister Street  
San Francisco CA 94102-3600

**Re: Appellant's Focus Letter  
People v. Magdaleno Salazar  
California Supreme Court Case No. S077524**

SUPREME COURT  
FILED  
FEB 17 2016  
Frank A. McGuire Clerk  
Deputy

Dear Mr. McGuire:

Oral argument in the above-referenced case has been calendared on Tuesday, March 1, 2016 at 1:30 p.m.

At that session, I intend to address the following arguments:

1. The unanimity of doubt language in CALJIC Nos. 8.71 and 8.72 unconstitutionally lowered the state's burden of proof (Argument II);
2. The trial court's failure to correctly respond to the jury's written question was constitutional error (Argument III);
3. Charging appellant with capital murder when the sole special circumstance was a juvenile conviction, in which appellant was not the shooter, was constitutional error (Argument VI);
4. The trial court conducted a constitutionally inadequate voir dire that violated appellant's constitutional rights and resulted in a miscarriage of justice (Argument VII); and
5. The trial court erred by prohibiting trial counsel from eliciting information regarding the co-defendant's conviction for manslaughter (Argument XI).

Respectfully submitted,



JAMES THOMSON  
Attorney for Magdaleno Salazar

**DECLARATION OF SERVICE**

Re: *People v. Salazar*

Case No: S077524

I, AARON JONES, the undersigned, declare as follows:

I am a citizen of the United States, over the age of 18 years and not a party to the within action.

On February 17, 2016, I served the attached **APPELLANT'S FOCUS LETTER** by placing a true copy thereof in an envelope addressed to the person(s) named below at the address(es) shown, and by sealing and depositing said envelope in the United States Mail at Berkeley, California, with postage thereon fully prepaid. There is delivery service by United States Mail at each of the places so addressed, for there is regular communication by mail between the place of mailing and each of the places so addressed.

Ryan Smith Deputy Attorney General Los Angeles Office 300 South Spring St., Suite 1702 Los Angeles, CA 90013	Magdaleno Salazar Nava, P-34200 San Quentin State Prison San Quentin, CA 94974
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I declare under penalty of perjury, as defined by the State of California and the United States, that the foregoing is true and correct and that this declaration was executed in Berkeley, California on February 17, 2016.

  
AARON JONES