

SUPREME COURT COPY

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State of California
DEPARTMENT OF JUSTICE



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April 11, 2014

SUPREME COURT
FILED

APR 14 2014

Honorable Frank A. McGuire, Clerk
Supreme Court of California
350 McAllister Street, First Floor
San Francisco, CA 94102-4797

Frank A. McGuire Clerk

Deputy

RE: People v. John Leo Capistrano (Capital Case)
Supreme Court of the State of California, Case No. S067394 (Automatic Appeal)

Dear Mr. McGuire:

By this letter, Respondent advises the Court that Respondent intends to focus at oral argument on May 7, 2014, on the issues raised by Capistrano's counsel and on responding to questions from members of the Court.

Sincerely,

Handwritten signature of Margaret E. Maxwell in cursive.

MARGARET E. MAXWELL
Supervising Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

MEM:

LA1998XS0007
51490966.doc

DEATH PENALTY

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *People v. John Leo Capistrano* (CAPITAL CASE)

No.: **S067394**

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 collection and processing of correspondence for mailing with the United States Postal Service. 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.

On April 11, 2014, I served the attached **FOCUS LETTER** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

Kathleen M. Scheidel
Supv. Deputy State Public Defender
Office of the State Public Defender
1111 Broadway, 10th Floor
Oakland, CA 94607

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 April 11, 2014, at Los Angeles, California.

Bernie Santos
Declarant


Signature