

XAVIER BECERRA
Attorney General

SUPREME COURT COPY

State of California
DEPARTMENT OF JUSTICE



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May 31, 2017

Jorge E. Navarrete
Clerk of the California Supreme Court
350 McAllister Street, First Floor
San Francisco, CA 94102

SUPREME COURT
FILED

JUN - 1 2017

Jorge Navarrete Clerk

Deputy

RE: *People v. David Scott Daniels*, Case No. S095868
Supplemental Authority Letter

Dear Mr. Navarrete:

The Court has scheduled this case for oral argument on June 6, 2017. Under California Rule of Court, rule 8.254, respondent submits *People v. Mickel* (2016) 2 Cal.5th 181, 205-210 (*Mickel*) as supplemental authority in this matter. *Mickel* is relevant to appellant's claims that: (1) the trial court failed to adequately inquire into his mental competence when evaluating his request to represent himself (AOB 23-50); (2) his presentation of no defense was tantamount to a guilty plea (AOB 68-87); and (3) the right to self-representation recognized in *Faretta v. California* (1975) 422 U.S. 806 does not extend to the guilt or penalty phases in a capital trial (Supplemental AOB 1-16).

Sincerely,

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

CHRISTOPHER J. RENCH
Deputy Attorney General
State Bar No. 242001

For XAVIER BECERRA
Attorney General

CJR:dc

DEATH PENALTY

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **People v. David Scott Daniels**
No.: **S095868 / S222187**

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 May 31, 2017, I served the attached

SUPPLEMENTAL AUTHORITY 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 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

**Gary Garcia, Sr.,
Gail R. Weinheimer,
Deputy State Public Defenders
Oakland City Center
1111 Broadway, 10th Floor
Oakland, CA 94607**

**Barbara Saavedra, Staff Attorney
Habeas Corpus Resource Center
303 Second St., Suite 400 South
San Francisco, CA 94107-1366**

**Clerk of the Superior Court
Sacramento County
720 Ninth Street, Room 611
Sacramento, CA 95814**

**Honorable Anne Marie Schubert
Sacramento County District Attorney
901 G Street
Sacramento, CA 95812**

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 May 31, 2017, at Sacramento, California.

Declarant