

## Office of the State Public Defender

Maria Morga  
1111 Broadway, 10<sup>th</sup> Floor  
Oakland, California 94607-4139  
Telephone: (510) 267-3300  
Fax: (510) 452-8712



October 23, 2020

Jorge E. Navarrete  
Clerk and Executive Officer  
Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-3600

Re: *People v. Irving Alexander Ramirez*, S155160  
Notice of Supplemental Authorities

Dear Mr. Navarrete:

This case is scheduled for oral argument on Tuesday, November 3 at 1:30 p.m. For this Court's consideration, appellant cites the following additional authorities not contained in the briefs on file and which counsel may cite during oral argument.

**Argument VII: Trial Court's Responses to Jury's Mid-Deliberation Questions**

*Stetler, The Past, Present, And Future of the Mitigation Profession: Fulfilling the Constitutional Requirement of Individualized Sentencing in Capital Cases*, (2018) 46 Hofstra L. Rev. 1161, appendix 3 (law enforcement victim cases where jury rejected the death penalty).

*People v. McClellan* (1969) 71 Cal.2d 793, 805, fn. 2. (evidence of prior criminal record is the strongest single factor that causes juries to impose the death penalty, quoting 21 Stan.L.Rev. 1297, 1326 et seq.)

*People v. Robertson* (1982) 33 Cal.3d 21, 54 (the overriding importance of other crimes evidence to the jury's life-or-death determination).

*People v. Polk* (1965) 63 Cal.2d 443, 450 (other crimes evidence may have a particularly damaging impact on the jury's determination whether the defendant should be executed).

Thank you for bringing this letter to the Court's attention.

Sincerely,

**/S/ MARIA MORGA**

Maria Morga  
Supervising Deputy State Public  
Defender  
Office of the State Public Defender  
Attorneys for Appellant

## DECLARATION OF SERVICE

Case Name: *People v. Irving Alexander Ramirez*  
Case Number: **Cal. Supreme Court No. S155160**  
**Alameda County Superior Ct. No. 151080**

I, Andrew Ironside, declare as follows: I am over the age of 18 and not a party to this cause. I am employed in the county where the mailing took place. My business address is 770 L Street, Suite 1000, Sacramento, California, 95814. I served a true copy of the following document:

### NOTICE OF SUPPLEMENTAL AUTHORITIES

by enclosing it in envelopes and placing the envelopes for collection and mailing with the United States Postal Service with postage fully prepaid on the date and at the place shown below following our ordinary business practices.

The envelope was addressed and mailed on **October 23, 2020**, as follows:

Irving Alexander Ramirez  
F-82088  
CSP-SQ  
San Quentin, CA 94974

The following was served the aforementioned document electronically via TrueFiling on **October 23, 2020**:

Elizabeth Hereford  
Deputy Attorney General  
Office of the Attorney General  
455 Golden Gate Ave., Ste 11000  
San Francisco, CA 94102-3658  
[Elizabeth.Hereford@doj.ca.gov](mailto:Elizabeth.Hereford@doj.ca.gov)

California Appellate Project  
345 California Street, Suite 1400  
San Francisco, CA 94104  
[filing@capsf.org](mailto:filing@capsf.org)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Signed on **October 23, 2020**, at Sacramento, California.

**/S/ ANDREW IRNSIDE**

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DECLARANT

**STATE OF CALIFORNIA**  
Supreme Court of California

***PROOF OF SERVICE***

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. RAMIREZ (IRVING ALEXANDER)**

Case Number: **S155160**

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: **maria.morga@ospd.ca.gov**
3. I served by email a copy of the following document(s) indicated below:

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Attorney Attorney General - San Francisco Office Elizabeth Winsor Hereford, Deputy Attorney General 282956	Elizabeth.Hereford@doj.ca.gov	e-Serve	10/23/2020 11:18:28 AM
Office Office Of The State Public Defender-Sac Timothy Foley, Sr. Deputy State Public Defender 000000	docketing@ospd.ca.gov	e-Serve	10/23/2020 11:18:28 AM
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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.

10/23/2020

Date

/s/Andrew Ironside

Signature

Morga, Maria (197218)

Last Name, First Name (PNum)

Office of the State Public Defender

Law Firm