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October 18, 2021

Mr. Jorge E. Navarrete
California Supreme Court
355 McAllister Street
San Francisco, CA 94102

Re: *People v. Holmes, Newborn, and McClain* (McClain), No. S058734

Dear Mr. Navarrete:

Regarding the oral argument set in the above-referenced case set for November 3, 2021

1. As provided in Rules of Court, rule 8.638(b), I request 30 minutes for argument, 10 minutes of which I will reserve for rebuttal.
2. I will be focusing on Claim XVII:

**THE TRIAL COURT'S EXCLUSION OF McCLAIN'S
PROPOSED LINGERING DOUBT EVIDENCE,
THE PROSECUTOR'S MISCONDUCT IN ARGUING LINGERING
DOUBT, AND THE ERRONEOUS JURY INSTRUCTIONS ON
LINGERING DOUBT VIOLATED McCLAIN'S
FEDERAL CONSTITUTIONAL AND STATE LAW RIGHTS**

Respectfully submitted,

Debra S. Sabah Press
Attorney for Appellant McClain

DECLARATION OF SERVICE

People v. Holmes, Newborn, and McClain (McClain), No. S058734

I, Debra S. Sabah Press declare that I am over the age of 18, and not a party to the within cause. My business address is 3571 Far West Boulevard; PMB 140; Austin, TX 78731.

I served a true copy of the attached

ORAL ARGUMENT FOCUS LETTER

On the following by Truefiling:

Mark Greenberg, Esq.
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Seth McCutcheon, DAG
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Eric Multhaup
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California Appellate Project
filing@capsf.org

And on the following by United States Mail:

Herbert C. McClain
P.O. Box K-38600
San Quentin, CA 94974

I declare under penalty of perjury under the laws of California and the United States that the foregoing is true and correct.

Executed on October 18, 2021, at Austin, Texas.

Debra S. Sabah Press
Attorney for Appellant McClain

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. HOLMES, McCLAIN & NEWBORN**

Case Number: **S058734**

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

Title(s) of papers e-served:

Filing Type	Document Title
LETTER	McClain_S058734_Oral_Argument_Focus_Letter

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California California Appellate Project - Sf Joseph Schlesinger/Mordecai Garelick	filing@capsf.org	e-Serve	10/18/2021 12:08:41 PM
Attorney Attorney General's Office Seth McCutcheon, Deputy Attorney General 278234	seth.mccutcheon@doj.ca.gov	e-Serve	10/18/2021 12:08:41 PM
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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.

10/18/2021

Date

/s/Debra Sabah Press

Signature

Sabah Press, Debra (202053)

Last Name, First Name (PNum)

Debra S. Sabah Press

Law Firm