



**KAMALA D. HARRIS**  
**Attorney General**

**State of California**  
**DEPARTMENT OF JUSTICE**

300 SOUTH SPRING STREET, SUITE 1702  
LOS ANGELES, CA 90013  
Public: (213) 269-6000  
Telephone: (213) 269-6092  
Facsimile: (213) 897-6496  
E-Mail: Kim.Aarons@doj.ca.gov

April 23, 2018

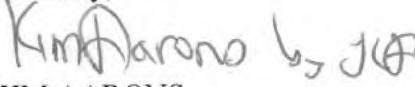
Jorge E. Navarrete  
Supreme Court Clerk and Executive Officer  
Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-4797

RE: Citation of Additional Authorities  
*In re Manriquez (Abelino) on Habeas Corpus*  
California Supreme Court Case No. S141210

Dear Mr. Navarrete:

Oral argument in the above-captioned case is set for May 1, 2018, at 1:30 p.m., in San Francisco. During oral argument, counsel for respondent intends to rely upon the following authorities not cited in the briefs in support of the proposition that substantial evidence supports the referee's finding that Juror C.B.'s failure to disclose her childhood abuse was unintentional: *Gonzalez v. Santa Clara County Dept. of Social Services* (2014) 223 Cal.App.4th 72, 90, fn. 15 (addressing reasonableness of corporal punishment of a child by a parent under California law and rejecting defense of "lack of malicious intent," but acknowledging that this defense once prevailed in California and still prevails in many jurisdictions); *Boland v. Leska* (1982) 454 A.2d 75, 78 (holding that, in Pennsylvania, a parent may use corporal punishment as a means of discipline provided that the parent does not act with malicious intent and there is not a substantial risk of death, disfigurement, serious bodily injury, gross degradation, extreme pain or mental distress); and 18 Pa.C.S.A. § 509, subd. (1) (in Pennsylvania, the use of force by a parent or guardian is permissible as punishment for misconduct).

Sincerely,

  
KIM AARONS  
Deputy Attorney General

For KAMALA D. HARRIS  
Attorney General

Supreme Court of the State of California  
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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: *In re Manriquez (Abelino) on Habeas Corpus*

Number: S141210

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 that same day in the ordinary course of business.

On April 23, 2018, I served the attached

**LETTER TO THE COURT RE: CITATION OF ADDITIONAL AUTHORITY**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, 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:

Sujal Shah  
Morgan, Lewis & Bockius LLP  
One Market  
Spear Street Tower  
San Francisco, CA 94105-1596  
Counsel for Petitioner Abelino Manriquez

Capital Appeals Unit  
Superior Court of California, County of Los Angeles  
210 W. Temple Street, Room M-3  
Los Angeles, CA 90012

John A. Clarke, Clerk  
Los Angeles County Superior Court  
111 N. Hill Street  
Los Angeles, CA 90012

Supreme Court of the State of California

April 23, 2018

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Office of the State Public Defender  
1111 Broadway, 10<sup>th</sup> Floor  
Oakland, CA 94607

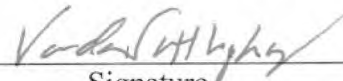
Brian R. Kelberg, Deputy District Attorney  
Los Angeles County District Attorney's Office  
320 W. Temple Street, Suite 540  
Los Angeles, CA 90012

California Appellate Project  
101 Second Street, Suite 600  
San Francisco, CA 94105

Habeas Corpus Resource Center  
303 – 2<sup>nd</sup> Street, Suite 400  
San Francisco, CA 94107

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 23, 2018, at Los Angeles, California.

\_\_\_\_\_  
Vanida S. Sutthiphong  
Declarant

\_\_\_\_\_  
  
Signature

CAA:vss  
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