

**XAVIER BECERRA**  
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**DEPARTMENT OF JUSTICE**



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February 26, 2018

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

RE: *People v. Warren Justin Hardy*  
Supreme Court of California, Case No. S113421 (Capital Case)

Dear Mr. Navarrete:

Pursuant to this Court's Notice to Counsel Appearing for Oral Argument, counsel for respondent provides the following additional authorities relevant to two of claims raised by appellant and not contained in the briefs:

Whether the trial court's dismissal for cause of prospective jurors D.D. and K.F. was supported by the record (AOB at 61-101, Arg. I): *People v. Thompson* (2016) 1 Cal.5th 1043, 1071-1072; *People v. Salazar* (2016) 63 Cal.4th 214, 235-236; *People v. Leon* (2015) 61 Cal.4th 569, 588-593; and *People v. Capistrano* (2014) 59 Cal.4th 830, 854-862.

Whether the trial court properly denied appellant's *Wheeler/Batson* motion (AOB at 102-147, Arg. III): *People v. Parker* (2017) 2 Cal.5th 1184; *People v. Sanchez* (2016) 63 Cal.4th 411; *People v. O'Malley* (2016) 62 Cal.4th 944; *People v. Scott* (2015) 61 Cal.4th 363.

Sincerely,

s/ Michael J. Wise

MICHAEL J. WISE  
Deputy Attorney General

For XAVIER BECERRA  
Attorney General

STATE OF CALIFORNIA  
Supreme Court of California

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
Supreme Court of California

Case Name: **PEOPLE v. HARDY (WARREN JUSTIN)**

Case Number: **S113421**

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

--

Date

/s/michael wise

Signature

wise, michael (185026)

Last Name, First Name (PNum)

CA Attorney General's Office - Los Angeles

Law Firm