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DEPARTMENT OF JUSTICE

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August 24, 2020

Jorge E. Navarrete
Clerk of the Supreme Court
Supreme Court of California
350 McAllister Street, Room 1295
San Francisco, CA 94102

RE: *People v. Turner*
Supreme Court of California, Case No. S154459 (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 that were decided after respondent's brief was filed and are not contained in any of the briefs. They are relevant to appellant's third claim, which he has indicated he intends to address at oral argument—whether substantial evidence supports excusing two prospective jurors for cause because they would be substantially impaired in performing their duties (AOB at 95-112, Arg. III): *People v. Silveria* (Aug. 13, 2020, S062417) __ Cal.5th __ [2020 WL 4691510]; *People v. Flores* (2020) 9 Cal.5th 371; *People v. Spencer* (2018) 5 Cal.5th 642; *People v. Wall* (2017) 3 Cal.5th 1048; *People v. Jones* (2017) 3 Cal.5th 583; *People v. Thompson* (2016) 1 Cal.5th 1043.

Sincerely,

Blythe J. Leszkay
BLYTHE J. LESZKAY
Deputy Attorney General

For XAVIER BECERRA
Attorney General

DECLARATION OF ELECTRONIC SERVICE

Case Name: *The People v. Chester Dewayne Turner*
No.: **S154459**

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 collecting and processing electronic and physical correspondence. 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. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On August 25, 2020, I electronically served the attached **NEW AUTHORITIES LETTER** by transmitting a true copy via this Court's TrueFiling system, addressed as follows:

Mary K. McComb
Supervising Deputy State Public
Defender
mary.mccomb@ospd.ca.gov

William Whaley
Office of the State Public Defender
William.Whaley@ospd.ca.gov

On August 25, 2020, I served the attached **NEW AUTHORITIES LETTER** by transmitting a true copy via electronic mail to:

Robert Grace
Deputy District Attorney
Courtesy copy by E-mail

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 August 25, 2020, at Los Angeles, California.

Marianne A. Siacunco
Declarant

/s/ Marianne A. Siacunco
Signature

STATE OF CALIFORNIA
Supreme Court of California***PROOF OF SERVICE*****STATE OF CALIFORNIA**
Supreme Court of California

Case Name: **PEOPLE v. TURNER (CHESTER DEWAYNE)**Case Number: **S154459**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: **blythe.leszkay@doj.ca.gov**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

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LETTER	S154459_LTR_People

Service Recipients:

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William Whaley Office of the State Public Defender 293720	William.Whaley@ospd.ca.gov	e-Serve	8/25/2020 8:01:50 AM

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.

8/25/2020

Date

/s/Marianne Siacunco

Signature

Leszkay, Blythe (221880)

Last Name, First Name (PNum)

CA Attorney General's Office - Los Angeles

Law Firm