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May 30, 2019

Jorge E. Navarrete
Court Administrator and Clerk
Supreme Court of California
350 McAllister St.
San Francisco, CA 94102

Re: *In re Masters (Jarvis J.) on H.C.* (No. S130495)
Focus Letter

Dear Mr. Navarrete:

I am filing this on behalf of lead counsel Joseph Baxter, who is out of the office this week.

Petitioner's argument, at oral argument on June 4, 2019, will, inter alia, focus on the following:

1. Our response to respondent's Argument III in their Brief in Response: "The internal CDCR memorandum of Harold Richardson's statement was properly found to be inadmissible at trial and does nothing to support petitioner's case at this level."

This argument relates to Petitioner's Exception's Brief (PEB) V.A., "Harold Richardson Admitted Being a Co-conspirator and Named All of the Coconspirators Identified by Willis Except Petitioner."

2. The overall state of the record at this time, as summarized in Section IV of Petitioner's Supplemental Brief (PSB): "Viewed Cumulatively, the New Evidence Not Only More Likely Than Not, but Without Question Would Have Changed the Outcome of the Trial."

3. Dr. Leonard's findings with respect to the authorship of the "kites" which Rufus Willis claimed were authored by petitioner.

a. PEB IX.D. "Jarvis Masters Was Not the Author of the Two Kites Attributed to Him at the 1989 Trial."

b. PSB II.A.: "The Findings of Dr. Leonard Regarding the Non-Authorship of the Kites Ascribed to Jarvis Masters."

c. Petitioner's Supplemental Reply Brief (PSRB) II.A.: "The Findings of Dr. Leonard Regarding the Non-Authorship of the Kites Ascribed to Jarvis Masters."

4. The *Brady* evidence regarding the Bobby Evans testimony:

a. PEB IX.Question 1.B. “Bobby Evans’ and James Hahn’s Trial Testimony and Discovery Produced by the Prosecution Massively Understated Evans’ Relationship as a Snitch with Law Enforcement and, in Particular, with CDC Agent James Hahn. Thus False Evidence Was Used to Convict Jarvis Masters.”

b. PEB.Question 4.B.: As a Member of the Prosecution and Investigative Team and As An Investigator for One of the Investigative Agencies, Hahn’s Knowledge Must Be Imputed to the Prosecution for *Brady* Purposes.”

c. PEB.Question 4.C: “CDC Was an Investigation and Prosecution Agency in this Case, and James Hahn Was a Member of the Investigation and Prosecution Team.”

d. PEB Question 4.A.1.(a): “What the trial jury heard.”

e. Petitioner’s Reply to Respondent’s Exceptions (PRB) Question 4.A.: “Hahn and CDC Were Part of the Investigation and Prosecution Team.”

f. PRB Question 4, B: “The Undisclosed Information and Additional Contact Regarding Evans was Massive, and Substantially Material Under *Brady*. ”

5. We shall address the applicability of recantation cases cited by Respondent.

6. Evan’s lie about what Masters allegedly told him in the Adjustment Center.

PRB.Question 1, pp. 22-27. (Page numbers are given in lieu of section heading because it appears within a very broad heading with no sub-headings.)

Sincerely,

RICHARD I. TARGOW
for JOSEPH G. BAXTER.

Attorneys for Petitioner Masters

DECLARATION OF SERVICE

Re: In re Jarvis J. Masters on HC

No. S130495

I, RICHARD I. TARGOW, certify:

I am, and at all time mentioned herein was, an active member of the State Bar of California and not a party to the above-entitled cause. My business address is Post Office Box 1143, Sebastopol, California 95473.

I served a true copy of the attached Focus Letter on each of the following, by electronic service or by placing same in an envelope or envelopes addressed, respectively, as follows:

Alice B. Lustre, Dep. Atty. Gen. (by Electronic Service)

Scott Kauffman, Staff Atty. (By Electronic Service)
California Appellate Project

Joseph Baxter (By Electronic Service)
Attorney for Petitioner

Chris Andrian (By Electronic Service)
Attorney for Petitioner

Jarvis J. Masters, Petitioner
(by U.S. Mail.)

Each electronic delivery or said envelope was then, on May 30, 2019, served via TrueFiling, or placed in the United States Mail at Sebastopol, California, with postage fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30th day of May, 2019, at Sebastopol, California.

RICHARD I. TARGOW
Attorney at Law

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **MASTERS (JARVIS J.) ON H.C.**

Case Number: **S130495**

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: **rtargow@sonic.net**

3. I served by email a copy of the following document(s) indicated below:

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Richard Targow Attorney at Law 87045	rtargow@sonic.net	e-Service	5/30/2019 1:32:56 PM

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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.

5/30/2019

Date

/s/Richard Targow

Signature

Targow, Richard (87045)

Last Name, First Name (PNum)

Richard I. Targow, Attorney at Law

Law Firm