

SUPREME COURT COPY

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555
Telephone: (916) 323-8044
Facsimile: (916) 324-2960
E-Mail: Stephanie.Mitchell@doj.ca.gov

May 17, 2016

Frank A. McGuire
Supreme Court Clerk/Administrator
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

**SUPREME COURT
FILED**

MAY 18 2016

Frank A. McGuire Clerk

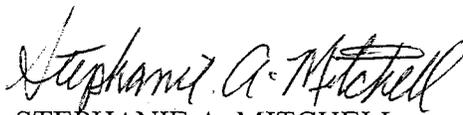
Deputy

RE: *People v. Gary Lee Grimes* – Capital Case
Supreme Court of the State of California, Case No. S076339

Dear Mr. McGuire:

This case is scheduled for oral argument on May 26, 2016. Counsel for respondent intends to focus her argument on appellant's claim that the trial court's abused its discretion by excluding portions of John Morris's statements, and their exclusion requires reversal of the special-circumstance finding and the death verdict (AOB Arg. IV; RB Arg. II.A), and supplemental briefing related to that claim addressing forfeiture and harmless error.

Sincerely,


STEPHANIE A. MITCHELL
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

SAM:

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DEATH PENALTY

COPY

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **People v. Grimes**

No.: **S076339**

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; my business address is 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550.

On May 17, 2016, I served the attached **Focus Letter** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Sacramento, California, addressed as follows:

Cliff Gardner
Attorney at Law
1448 San Pablo Ave.
Berkeley, CA 94702
(Attorney for appellant Grimes - 2 copies)

California Appellate Project
101 Second Street, Suite 600
San Francisco, CA 94105-3672

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 May 17, 2016, at Sacramento, California.

M. Latimer
Declarant


Signature