

# SUPREME COURT COPY

SUPREME COURT  
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OCT 4 - 2006

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

Frederick K. Ohlrich Clerk

~~DEPUTY~~

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff and Respondent,

v.

KARL HOLMES, HERBERT McCLAIN,  
AND LORENZO NEWBORN,

Defendants and Appellants.

AUTOMATIC  
APPEAL

Supreme Ct. No.  
S058734

Los Angeles County  
Superior Ct. No.  
BA 092268

## APPELLANT McCLAIN'S OPENING BRIEF

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Appeal from the Judgment of the Superior Court of Los Angeles County  
Hon. J.D. Smith, Judge Presiding

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# DEATH PENALTY

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