

XAVIER BECERRA
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State of California
DEPARTMENT OF JUSTICE



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March 22, 2018

The Honorable Jorge E. Navarrete
Court Administrator and Clerk of the Court
Supreme Court of California
350 McAllister Street, First Floor
San Francisco, CA 94102-4797

RE: People v. Michael Augustine Lopez
Supreme Court of the State of California, Case No. S099549

Dear Mr. Navarrete:

This letter specifies the issues on which I expect to focus during oral argument in *People v. Lopez*, case no. S099549, scheduled for argument on April 4, 2018, in Los Angeles. As respondent's counsel, I intend to focus on the issues identified in appellant's counsel's focus letter. Appellant's counsel has advised me that she will focus on the claims 1, 9 and 10:

1. Admission of testimony by child witnesses was proper
9. The trial court did not unduly pressure jurors to reach a verdict in the penalty phase
10. There was no error during the penalty phase resulting in improper consideration of aggravating evidence

In addition, I will be prepared to address any matter of interest to the Court.

Sincerely,

/s/ Alice B. Lustre
ALICE B. LUSTRE
Deputy Attorney General

For XAVIER BECERRA
Attorney General

March 22, 2018
Page 2

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DECLARATION OF ELECTRONIC SERVICE

Case Name: ***People v. Michael Augustine Lopez***
Case No.: **S099549**

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 correspondence. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically.

On March 22, 2018, I electronically served the attached **FOCUS LETTER TO THE COURT** by transmitting a true copy via this Court's TrueFiling system.

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 March 22, 2018, at San Francisco, California.

M. Mendiola
Declarant

/s/ M. Mendiola
Signature

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. LOPEZ (MICHAEL AUGUSTINE)**

Case Number: **S099549**

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: **alice.lustre@doj.ca.gov**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
LETTER	Focus Letter to the Court

Service Recipients:

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Office Of The State Public Defender - Ok Evans Young, Deputy State Public Defender SFD	docketing@opspd.ca.gov	e-Service	3/22/2018 11:02:50 AM
Office Of The State Public Defender - Ok Evans Young, Deputy State Public Defender SFD	young@ospd.ca.gov	e-Service	3/22/2018 11:02:50 AM
Habeas Corpus Resource Center Michael J. Hersek, Executive Director HRC	mhersek@hcrc.ca.gov	e-Service	3/22/2018 11:02:50 AM
Alameda District Attorney's Office Alameda DA California Dept of Justice, Office of the Attorney General	ACDAcket@acgov.org	e-Service	3/22/2018 11:02:50 AM
Alice Lustre California Dept of Justice, Office of the Attorney General 241994	alice.lustre@doj.ca.gov	e-Service	3/22/2018 11:02:50 AM
California Department of Justice Docket Unit California Dept of Justice, Office of the Attorney General	SFAG.Docketing@doj.ca.gov	e-Service	3/22/2018 11:02:50 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.

--

Date

/s/Alice Lustre

Signature

Lustre, Alice (241994)

Last Name, First Name (PNum)

California Dept of Justice, Office of the Attorney General

Law Firm