

LAW OFFICE OF CLIFF GARDNER  
1448 SAN PABLO AVENUE • BERKELEY, CALIFORNIA • 94702  
PHONE: 510-524-1093 • FAX: 510-527-5812  
Website: CliffGardner.com

May 22, 2020

Mr. Jorge Navarrete  
California Supreme Court  
Office of the Clerk  
350 McAllister Street  
San Francisco, CA 94102

Re: *People v. Peterson*, S132449, Additional Authorities

Dear Mr. Navarrete:

I represent appellant Scott Peterson in the above captioned case. The case has been calendered for oral argument on June 2, 2020. I filed a Reply Brief on Mr. Peterson's behalf in July of 2015.

I would appreciate if you would bring the following additional authorities to the Court's attention. All were decided after July 2015:

- 1) *People v. Buenrostro* (2018) 6 Cal.5th 367, 410-418 (prospective juror improperly discharged under *Witherspoon v. Illinois* (1968) 391 U.S. 510 based solely on jury questionnaire answers showing prospective juror was "strongly against" the death penalty and would find it difficult to vote for death);
- 2) *People v. Woodruff* (2018) 5 Cal.5th 697, 741-745 (same where jury questionnaire answers showed prospective juror was "strongly against" the death penalty because "only God" could make such a decision, but agreed he would "follow[] the law");
- 3) *People v. Covarrubias* (2016) 1 Cal.5th 838, 860-865 (same where jury questionnaire answers showed prospective juror was strongly against the death penalty, he would "probably" vote to impose life automatically but he could "most probably" set aside his views and follow the law); and

- 4) *People v. Zaragoza* (2016) 1 Cal.5th 21, 36-41 (same where jury questionnaire answers showed prospective juror was strongly opposed to the death penalty based on her religion but her views would not preclude her from imposing death).

These cases are relevant to Arguments I and II presented in appellant's Opening and Reply Briefs.

As always, thanks in advance for your assistance.

Sincerely,

A handwritten signature in black ink, consisting of several vertical, wavy lines followed by a horizontal stroke and a small flourish.

Cliff Gardner

CERTIFICATE OF SERVICE

I, the undersigned, declare as follows:

I am a citizen of the United States, over the age of 18 years and not a party to the within action. My business address is 1448 San Pablo Avenue, Berkeley, CA 94606. I am not a party to this action.

On May 22, 2020 I served the within

**LETTER OF MAY 22, 2020**

upon the parties named below by depositing a true copy in a United States mailbox in Oakland, California, in a sealed envelope, postage prepaid, and addressed as follows:

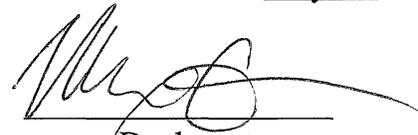
Scott Peterson, V-72100  
San Quentin State Prison  
San Quentin, CA 94974

and upon the parties named below by submitting an electronic copy through TrueFiling:

Office of the Attorney General  
455 Golden Gate Avenue  
Suite 11000  
San Francisco, CA 94102  
**[sfagdocketing@doj.ca.gov](mailto:sfagdocketing@doj.ca.gov)**

California Appellate Project  
101 2<sup>nd</sup> Street  
San Francisco, CA 94105  
**[filing@capsf.org](mailto:filing@capsf.org)**

I declare under penalty of perjury that the foregoing is true. Executed on May 22, 2020, in Berkeley, California.

  
Declarant

**STATE OF CALIFORNIA**  
Supreme Court of California

***PROOF OF SERVICE***

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. PETERSON (SCOTT LEE)**

Case Number: **S132449**

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: **casetris@aol.com**
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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.

5/22/2020

Date

/s/Max Atchison

Signature

Gardner, Cliff (93782)

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Last Name, First Name (PNum)

Law Offices of Cliff Gardner

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Law Firm