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DEPARTMENT OF JUSTICE



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March 22, 2019

Jorge E. Navarrete
Court Administrator and Clerk
Supreme Court of the State of California
350 McAllister Street, Room 1295
San Francisco, CA 94102

RE: *People v. Carl Edward Molano*, Case No. S161399
Respondent's Oral Argument Focus Letter

Dear Mr. Navarrete:

We write to advise the Court that we expect our argument in this case will focus on the issues raised by opposing counsel in his respective focus letter, specifically:

Argument I in Appellant's Opening Brief: "Appellant's Fifth and Fourteenth Amendment rights were violated by the admission into evidence of statements appellant made after officers tricked him into waiving his *Miranda* rights, after he then twice invoked his right to counsel and after a process of "softening up" initiated by the officers during a car ride to the station following the second invocation."

Argument II in Appellant's Opening Brief: "Admission of evidence of the rapes of Ann Hoon and Mabel Lovejoy and the corporal injury of Brenda Molano and the instructions governing the jury's use of that evidence, violated appellant's right to due process."

Respondent will also be prepared to address any other issues on which the Court has questions.

Jorge E. Navarrete
March 22, 2019
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Sincerely,

/s/ Juliet B. Haley

JULIET B. HALEY
Deputy Attorney General
State Bar No. 162823

For XAVIER BECERRA
Attorney General

JBH:jw

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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *People v. Molano*

No.: **S161399**

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.

On March 22, 2019, I served the attached **RESPONDENT'S ORAL ARGUMENT FOCUS LETTER** on the parties by transmitting a PDF version of the document to the parties listed below through TrueFiling e-service:

Wesley A. Van Winkle Attorney at Law	California Appellate Project
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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, 2019, at San Francisco, California.

J. Wong
Declarant

/s/ J. Wong
Signature

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. MOLANO (CARL)**

Case Number: **S161399**

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: **Juliet.Haley@doj.ca.gov**

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

Title(s) of papers e-served:

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JUDGMENT OF DEATH	Respondents Oral Argument Focus Letter

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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.

3/22/2019

Date

/s/Juliet B. Haley

Signature

Haley, Juliet B. (162823)

Last Name, First Name (PNum)

California Dept of Justice, Office of the Attorney General

Law Firm