

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



300 SOUTH SPRING STREET, SUITE 1702
LOS ANGELES, CA 90013

Public: (213) 269-6000
Telephone: (213) 269-6120
Facsimile: (213) 897-2806
E-Mail: Carlos.Dominguez@doj.ca.gov

February 22, 2018

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

RE: *People v. Richard Penunuri*
Supreme Court of California, Case No. S095076 (Capital Case)

Dear Mr. Navarrete:

Pursuant to this Court's Notice to Counsel Appearing for Oral Argument, counsel for respondent provides the following additional authorities relevant to one of claims raised by appellant and not contained in the briefs:

Whether the trial court's dismissal for cause of prospective juror Metcalf was supported by the record (AOB at 65-90, Arg. I): *People v. Thompson* (2016) 1 Cal.5th 1043, 1071-1072; *People v. Salazar* (2016) 63 Cal.4th 214, 235-236; *People v. Leon* (2015) 61 Cal.4th 569, 588-593; and *People v. Capistrano* (2014) 59 Cal.4th 830, 854-862.

Sincerely,

s/ E. Carlos Dominguez

E. CARLOS DOMINGUEZ
Deputy Attorney General

For XAVIER BECERRA
Attorney General

ECD:

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DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S. MAIL

Case Name: **People v. Richard Penunuri**
No.: **S095076**

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 and physical correspondence. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On **February 22, 2018**, I electronically served the attached **LETTER TO THE COURT RE: ADDITIONAL AUTHORITY** 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 **February 22, 2018**, at Los Angeles, California.

Lupe Zavala

Declarant

/s/ Lupe Zavala

Signature

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. PENUNURI
(RICHARD)**

Case Number: **S095076**

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: **carlos.dominguez@doj.ca.gov**
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Carlos Dominguez CA Attorney General's Office - Los Angeles 241097	carlos.dominguez@doj.ca.gov	e-Service	2/22/2018 11:20:22 AM
Guadalupe Zavala CA Attorney General's Office - Los Angeles	guadalupe.zavala@doj.ca.gov	e-Service	2/22/2018 11:20:22 AM
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Stephen Lathrop Stephen Lathrop 126813	lathrop126813@gmail.com	e-Service	2/22/2018 11:20:22 AM
Stephen Lathrop Law Offices of Lathrop & Villa 126813	stephen.lathrop@cox.net	e-Service	2/22/2018 11:20:22 AM

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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.

--

Date

/s/Carlos Dominguez

Signature

Dominguez, Carlos (241097)

Last Name, First Name (PNum)

CA Attorney General's Office - Los Angeles

Law Firm