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September 25, 2018

Clerk of the Court
California Supreme Court
350 McAllister Street
Room 1295
San Francisco, CA 94102-3600

Re: People v. Amezcua and Flores
Case No. S133660

To whom it may concern,

By appointment of this court, I am the attorney for appellant Joseph Flores in case number S133660 in the automatic appeal from a judgment of death. The Court has indicated that it intends to set the case for oral argument for December of 2018.

As I have explained in prior letters, I will be out of the country for the entire month of October. I will not have access to my computer or any materials connected to this case.

I do not know when this Court is going to request the focus letter, so I am therefore requesting permission to file this as the focus letter in this case, so as to inform the court of the focus issues listed below and of additional authority not in the briefs that I intend to rely on.

I am requesting permission to file this letter so advising the Court in case I am out of the country when the court normally sends out the request for this information. I will further update this Court if there is any other information that I need to provide at a later date.

I anticipate focusing my argument primarily upon the following issues, referenced by the Roman numeral used in the Opening Brief:

1. As discussed in Argument Roman numeral IV, the trial court erred in admitting the jailhouse interview of appellants because those statements were part of settlement negotiations and were privileged under Evidence Code section 1152.

2. As discussed in Argument Roman numeral VI, the trial court erred when it acquiesced to the demands of appellants not to allow defense counsel to present any form of defense in the penalty phase or even to provide the jury with proper penalty phase instructions

I also intend to rely on the following case not discussed in Appellant's Opening or Reply Briefs: McCoy v. Louisiana (2018) 138 S.Ct. 1500, 200 L.Ed.2d 821.

Respectfully submitted

David H. Goodwin,
Attorney for appellant Flores

DECLARATION OF SERVICE BY MAIL STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, David Goodwin, declare I am employed in Los Angeles County, am over the age of eighteen (18) years, and not party to the action; my business address is Post Office Box 50724, Pasadena, CA 91115.

I have made service of the foregoing Focus Letter Address by depositing in the United States mail on September 25, 2018, a true and full copy thereof, to the following:

**Joseph Flores
San Quentin Prison
P.O. Box V-76699
San Quentin, CA 94974**

The following other parties were served via Trufiling:

Viet Nguyen, Deputy Attorney General, counsel for respondent

Wesley Van Winkle, assisting attorney

Janyce Blair, counsel for co-appellant Amezcua

Mark Goldrosen, assisting attorney for co-appellant Amezcua

I declare under penalty of perjury the forgoing is true and correct and this proof of Service was executed at Pasadena, California on September 25, 2018.

David Goodwin

STATE OF CALIFORNIA
 Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
 Supreme Court of California

Case Name: **PEOPLE v. AMEZCUA (OSWALDO) & FLORES (JOSEPH)**
 Case Number: **S133660**
 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: **dgood18055@aol.com**
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

Service Recipients:

Person Served	Email Address	Type	Date / Time
Attorney General - Los Angeles Office Mr. Viet H. Nguyen, Deputy Attorney General LAG	viet.nguyen@doj.ca.gov	e-Service	9/26/2018 1:23:17 PM
Attorney General - Los Angeles Office Mr. Viet H. Nguyen, Deputy Attorney General LAG	viet.nguyen@doj.ca.gov	e-Service	9/26/2018 1:23:17 PM
David Goodwin Attorney at Law 91476	dgood18055@aol.com	e-Service	9/26/2018 1:23:17 PM
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Janyce Blair Attorney at Law 103600	jkiblair@bleckmanblair.com	e-Service	9/26/2018 1:23:17 PM
Mark Goldrosen Attorney at Law 101731	markgoldro@aol.com	e-Service	9/26/2018 1:23:17 PM
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Wesley Van Winkle Attorney at Law 129907	tacitus@pacbell.net	e-Service	9/26/2018 1:23:17 PM
Wesley Van Winkle	tacitus@pacbell.net	e-	9/26/2018

Attorney at Law
129907

Service 1:23:17
PM

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.

9/26/2018

Date

/s/David Goodwin

Signature

Goodwin, David (91476)

Last Name, First Name (PNum)

David Goodwin

Law Firm