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STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

OFFICE OF THE STATE PUBLIC DEFENDER

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SUPREME COURT COPY

January 26, 2017

Frank A. McGuire
Clerk of the Supreme Court
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102

SUPREME COURT
FILED
JAN 27 2017
Jorge Navarrete Clerk
Deputy

Re: People v. Ruben Becerrada
Case No. S170957

Dear Mr. McGuire:

Oral argument in the above-entitled case has been set for February 7, 2017. At oral argument, I may rely on the following case in support of appellant's claim that evidence was insufficient to establish lying in wait (Argument VIII):

People v. Nelson (2016) 1 Cal.5th 513, 551 [lying in wait set aside because "the jury was presented with no evidence from which it could have chosen, beyond a reasonable doubt" the prosecution's scenario over that favoring the defendant].)

Thank you for your attention to this matter.

Sincerely,

Arnold Erickson
Senior Deputy State Public Defender
Attorney for Appellant

DEATH PENALTY

DECLARATION OF SERVICE BY MAIL

Case Name: **People v. Ruben Becerrada**
Case Number: **Cal. Supreme Ct. No. S170957**
Los Angeles Co. Superior Ct. No. LA033909

I, Glenice Fuller, the undersigned, declare as follows:

I am over the age of 18 and not a party to this cause. I am employed in the county where the mailing took place. My business address is 1111 Broadway, Suite 1000, Oakland, California 94607. I served a copy of the following document(s):

ORAL ARGUMENT ADDITIONAL AUTHORITIES LETTER

by enclosing it in envelopes and

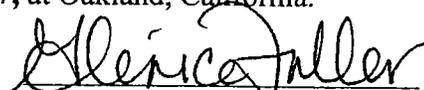
/ / **depositing** the sealed envelopes with the United States Postal Service with the postage fully prepaid;

/X/ **placing** the envelopes for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

The envelopes were addressed and mailed on **January 26, 2017**, as follows:

Kimara A. Aarons, Deputy Attorney General	Ruben Becerrada, #G-52922
Attorney General - Los Angeles Office	CSP-SQ
300 South Spring St., Suite 1702	2-EB-69
Los Angeles, CA 90013	San Quentin, CA 94974

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Signed on **January 26, 2017**, at Oakland, California.


GLENICE FULLER