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Attorneys for Appellant

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff and Respondent,

v.

CHESTER DEWAYNE TURNER

Defendant and Appellant.

No. S154459

(Los Angeles County Superior
Court No. BA273283-01)

Death Penalty Case

**APPELLANT’S MOTION TO TAKE JUDICIAL NOTICE
AND PROPOSED ORDER**

TO THE HONORABLE TANI CANTIL-SAKAUYE, CHIEF JUSTICE, AND
THE HONORABLE ASSOCIATE JUSTICES OF THE SUPREME COURT
OF THE STATE OF CALIFORNIA:

Under Evidence Code sections 452, subdivisions (c) and (h) and 459,
subdivision (a), and rules 8.252 and 8.630(h) of the California Rules of Court,
appellant Chester Dewayne Turner moves that this Court take judicial notice
of the autopsy report signed by Dr. Susan F. Selser on October 8, 1989,
concerning her September 25, 1989 autopsy of Regina Washington’s fetus. A

certified copy of the autopsy report is attached as Exhibit A to this motion, which is filed concurrently with Appellant's Second Supplemental Opening Brief.

This motion is based on the attached Memorandum of Points and Authorities and the records and files in this case.

DATED: June 16, 2020

Respectfully Submitted,

MARY K. McCOMB
State Public Defender

/s/
WILLIAM C. WHALEY
Deputy State Public Defender

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF REQUEST TO TAKE JUDICIAL NOTICE

Mr. Turner seeks judicial notice of the autopsy report attached hereto as Exhibit A.

Under rule 8.252(a)(2)(A) of the California Rules of Court (hereinafter, “rule”), a request for judicial notice must state why the matter to be noticed is relevant to the appeal. Dr. Selser’s autopsy report is relevant to the argument raised in Appellant’s Second Supplemental Opening Brief, which contends that the trial court violated Mr. Turner’s state evidentiary and confrontation rights by admitting statements Dr. Selser made in the autopsy report through the testimony of a different medical examiner who did not perform or participate in the autopsy.

Under the confrontation clause of the Sixth Amendment, a court is barred from admitting testimonial hearsay statements of a witness who does not appear at a criminal trial, unless the defendant had a prior opportunity to cross-examine the witness and the witness is unavailable to testify at trial. (*Crawford v. Washington* (2004) 541 U.S. 36, 53-54, 59 & fn. 9.) In *People v. Dungo* (2012) 55 Cal.4th 608, 615, fn. 3, this Court took judicial notice of an autopsy report and applied *Crawford* to the report. The Court concluded that testimonial out-of-court statements have two critical components: “First, to be testimonial the statement must be made with some degree of formality or solemnity. Second, the statement is testimonial only if its primary purpose pertains in some fashion to a criminal prosecution.” (*Id.* at p. 619.) *Dungo* held that the autopsy report failed to satisfy both components. (*Id.* at p. 621.) The statements in the autopsy report at issue here possesses the requisite formality and primary purpose to render them “testimonial” for purposes of *Crawford*. The autopsy report is therefore relevant to this appeal.

Although the statements in Dr. Selser’s autopsy report were read to the

jury by Dr. Scheinin during the prosecution's case-in-chief (12RT 1820-1825), the autopsy report itself was not introduced into evidence. Moreover, Mr. Turner did not ask the trial court to take judicial notice of the report. (Cal. Rules of Court, rule 8.252(a)(2)(B).)

Under rule 8.252(a)(2)(C), if judicial notice of the matter was not taken by the trial court, then the motion must state why the matter is subject to judicial notice under Evidence Code section 451, 452, or 453. As noted, this Court took judicial notice of the autopsy report in *People v. Dungo, supra*, 55 Cal.4th at p. 615, fn. 3. As a public document, an autopsy report is subject to judicial notice under Evidence Code section 452, subdivisions (c) and (h). (*People v. Castillo* (2010) 49 Cal.4th 145, 157 [court may take judicial notice of public record when it does not consider record for truth of matters stated therein]; *Dixon v. Superior Court* (2009) 170 Cal.App.4th 1271, 1278 [autopsy report is public record].)

The matter to be noticed does not relate to proceedings occurring after the judgment that is the subject of the appeal. (Cal. Rules of Court, rule 8.252(a)(2)(D).)

//

//

Accordingly, appellant moves that this Court take judicial notice of the attached Exhibit A, the autopsy report signed by Dr. Selser on October 8, 1989.

Dated: June 16, 2020

Respectfully Submitted,

MARY K. McCOMB
State Public Defender

/s/

WILLIAM C. WHALEY
Deputy State Public Defender

EXHIBIT A

12

AUTOPSY REPORT

No. 89-09304

WASHINGTON, BABY GIRL

I performed an autopsy on the body of



at the DEPARTMENT OF CHIEF MEDICAL EXAMINER-CORONER

Los Angeles, California

on SEPTEMBER 25, 1989 @ 1400 HOURS

(Date)

(Time)

From the anatomic findings and pertinent history I ascribe the death to:

(A) ANOXIC INTRAUTERINE FETAL DEMISE, FEMALE, 825 GRAMS, APPROXIMATELY DUE TO OR AS A CONSEQUENCE OF 6 1/2 MONTHS GESTATION

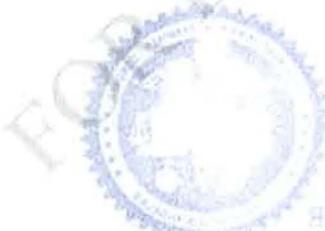
(B) MATERNAL STRANGULATION DUE TO OR AS A CONSEQUENCE OF

(C) OTHER SIGNIFICANT CONDITIONS-

Anatomical Summary:

- I. Anoxic intrauterine fetal demise, female, 825 grams, approximately 6 1/2 months gestation.
 - A. Petechial hemorrhage of the epicardium and pleura.
 - B. Material strangulation, (see Coroner's Case 89-09239).
- II. See Toxicology Report.
- III. See Microscopic Report.

This is a true certified copy of the record if it bears the seal of the Department of Medical Examiner - Coroner imprinted in purple ink.



LOS ANGELES COUNTY CALIFORNIA DEPARTMENT OF MEDICAL EXAMINER - CORONER CHIEF MEDICAL EXAMINER - CORONER

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DEPARTMENT OF MEDICAL EXAMINER - CORONER
LOS ANGELES COUNTY, CALIFORNIA**

12**AUTOPSY REPORT**

No. 89-09304

WASHINGTON, BABY GIRL

Page 2**CIRCUMSTANCES:**

At autopsy of Coroner's Case 89-09239 a fetus was found in the uterus. According to weights and measurements, approximately 6 1/2 months gestation, weighing 825 grams, female. The mother died of strangulation.

EXTERNAL DESCRIPTION:

The body is unembalmed and that of a well-developed, well-nourished, light-skinned, Black female fetus measuring 25 cm. head circumference, 19 cm. chest circumference, 24 cm. crown-rump, 36 cm. crown-heel, 5.4 mm. foot length and weighing 825 grams. The body is recovered within the enlarged uterus. The placenta shows an anterolateral right attachment and there is no placental previa or abruption. The fetus shows a cephalic presentation with its back toward the left side. Approximately 12 inches of attached three vessel umbilical cord is present without obstruction of the cord or baby's neck. It has a slightly eccentric attachment to the placenta and slightly turbid meconium is present in the amniotic sac. There is no rupture of the membranes.

The fetus is cold and unembalmed. There is some slight focal skin slippage but no maceration is noted. The skin is generally pink with pale areas over the chest, abdomen, left knee, face and back in areas where the pressure were. There is slight skin slippage noted along the back of the legs and heels and the back of the ear area, these may have been caused by removal at the time of autopsy. There is no apparent overriding of the sutures or significant autolysis noted, in fact the fetus appears generally as well or better preserved than the mother. The hair is brown, about 1/4 of an inch and there is slight whitish vernix in the hair. The fontanelles are flat and there is no overriding in the sutures. The eyes are bluish-brown and the corneae are hazy. The nose and ears are clear and unremarkable. The mouth is clear without any congenital anomalies or injury.

The neck is symmetrical and no injury is noted.

The chest and abdomen and back are unremarkable. The anus is patent and meconium is noted.

The upper and lower extremities are unremarkable, no congenital anomalies or other changes are noted except that described above. The body is tagged at autopsy with its own numerical tag, Coroner's 89-09304.

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LOS ANGELES COUNTY, CALIFORNIA**



12**AUTOPSY REPORT**

No. 89-09304

WASHINGTON, BABY GIRL

Page 3**INTERNAL EXAMINATION:**

The body is opened with the usual Y-shaped incision. No injuries are noted to the subcutaneous tissues. The pleural, peritoneal and pericardial cavities are smooth and glistening, moist and free of adhesion. The liver edge is slightly rounded and about 1 inch below the costal margin at the right mid clavicular line. The spleen is subcostal. The organs occupy their usual anatomic positions except as otherwise noted. The mediastinum is midline.

CARDIOVASCULAR SYSTEM:

The heart weighs 3.4 grams. The epicardium is smooth and glistening with a few petechiae. The foramen ovale and ductus are open. No congenital anomalies are noted. Moderate red-purple liquid blood is present in the heart and great vessels. The coronary arteries and aorta are grossly normal.

RESPIRATORY SYSTEM:

The right and left lungs weigh 14.0 and 9.5 grams show smooth pleurae, pink, primarily atelectatic without any crepittance or indication of respiration of air. There are petechiae along the pleurae seen. Intrinsic bronchi and trachea contain minimal, slightly tan material.

NECK DISSECTION:

Dissection of the sternocleidomastoid muscles, strap muscles of the neck, thyroid cartilage, hyoid bone and anterior cervical spine are unremarkable.

HEPATOBILIARY SYSTEM:

The liver weighs 42 grams. The capsule is intact, the edge slightly round, the parenchyma somewhat soft with some slight autolysis and purplish-tan-brown. The gallbladder is unremarkable.

SPLEEN AND LYMPHATICS:

The spleen weighs 1.5 grams. The capsule is intact, the parenchyma moderately firm, red-purple and trabecular.

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LOS ANGELES COUNTY, CALIFORNIA**

12**AUTOPSY REPORT**

No. 89-09304

WASHINGTON, BABY GIRL

Page 4

The lymph nodes and bone marrow are unremarkable grossly.

ENDOCRINE SYSTEM:

The thyroid, thymus, adrenals, pituitary and pancreas show some slight autolysis and some congestion in the adrenal medulla areas.

GENITOURINARY SYSTEM:

The right and left kidneys weigh 8.0 grams together. They are grossly normal. The bladder is intact and there is minimal urine. The uterus, tubes and ovaries are unremarkable.

DIGESTIVE SYSTEM:

The tongue, pharynx and esophagus are clear. The stomach mucosa is intact and the stomach is empty. The duodenum, small bowel, appendix and large bowel are unremarkable. There is some meconium in the distal colon.

MUSCULOSKELETAL SYSTEM:

Unremarkable.

HEAD AND CENTRAL NERVOUS SYSTEM:

Reflecting the scalp shows no injury. The skull is intact and there are no fractures. The dura is intact and there is no epi or subdural hemorrhage, neomembrane accumulation, blood beneath the dura. The brain weighs 140 grams. There is some slight congestion of the meningeal vessels but no injury is seen. Sectioning the brain and brainstem shows no periventricular hemorrhage or injury noted.

TOXICOLOGY:

Heart blood and an EDTA tube of blood pooled in the head cavity, brain, liver, kidney and gallbladder are collected at autopsy.

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LOS ANGELES COUNTY, CALIFORNIA**

12

AUTOPSY REPORT

No. 89-09304

WASHINGTON, BABY GIRL

Page 5

HISTOPATHOLOGY:

Routine sections are taken for the stock jar. Microscopic cassettes are cut at the time of the autopsy.

RADIOLOGY:

No x-rays are taken.

PHOTOGRAPHY:

The body is photographed on removal from the mother's uterus and also after removal with its own Coroner's number.

WITNESSES:

Detective Joe Herrera, South Bureau Homicide Detective was present during the autopsy of the mother and on removal of the fetus.

OPINION:

On the basis of the autopsy findings, in my opinion, the decedent died as a result of anoxic intrauterine fetal demise as a result of maternal strangulation.

[Signature]
SUSAN F. SELSER, M.D.
DEPUTY MEDICAL EXAMINER

10-8-89
DATE

SFS:mt/jm:c
T-9-28-89

LOS ANGELES COUNTY CALIFORNIA
DEPARTMENT OF MEDICAL EXAMINER - CORONER
CHIEF MEDICAL EXAMINER - CORONER

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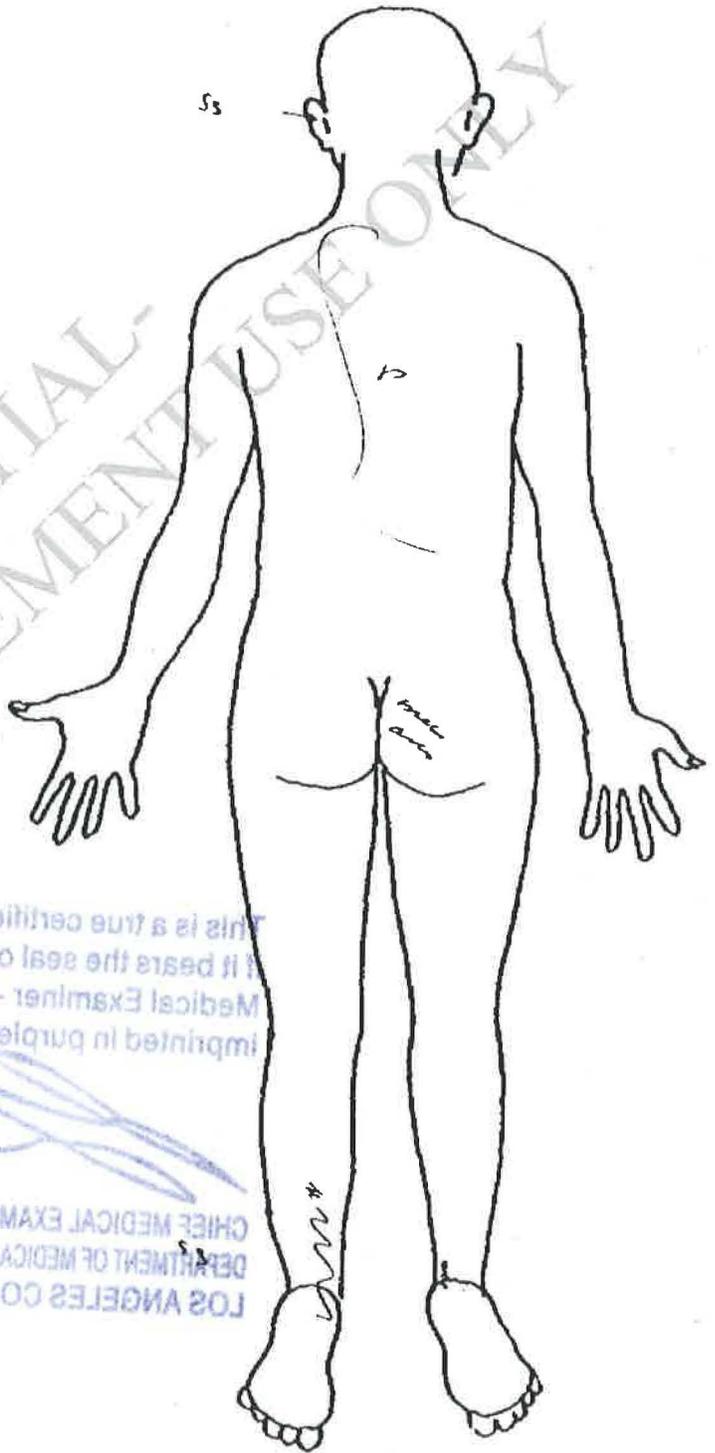
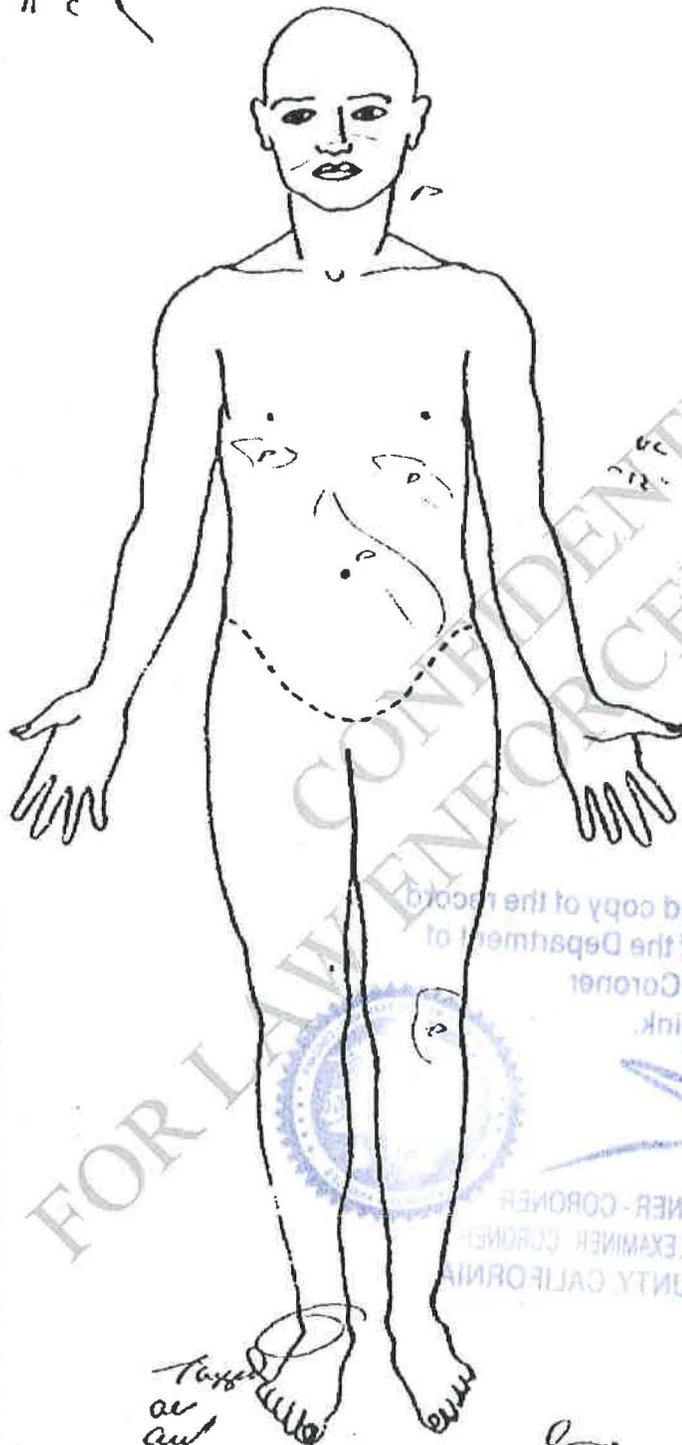
**CHIEF MEDICAL EXAMINER - CORONER
DEPARTMENT OF MEDICAL EXAMINER - CORONER
LOS ANGELES COUNTY, CALIFORNIA**

20

born to her
Chest, umbilical, SE bc ss no maceration
Skin seen getting dry & pale for where
pressure areas from his getting
Hair brown - 1/4" SE Ventr body
F Seal Seal not OR

89-09304
Washington, Baby Girl

Eye H6 h
H C \



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LOS ANGELES COUNTY CALIFORNIA

Taped
as
cut

M.D., Deputy Medical Examiner

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DEPARTMENT OF MEDICAL EXAMINER - CORONER
LOS ANGELES COUNTY, CALIFORNIA**

15

AUTOPSY CLASS: A B C EXAMINATION (D)

Date 9-25-89 Time 2:00 Dr. Selser
PRINT NAME

PENDING FINAL ON 9-25-89

APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH

22. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR A, B, AND C) IMMEDIATE CAUSE

(A) Anoxic Intrauterine fetal demise, Female, 825 grams, approximately 6 1/2 mos. gestation. mins

(B) Maternal strangulation. mins

(C)

Other conditions contributing but not related to the immediate cause of death:

NATURAL ACCIDENT SUICIDE HOMICIDE UNDETERMINED (fetal &c)

If other than natural causes HOW DID INJURY OCCUR? Maternal strangulation

WAS OPERATION PERFORMED FOR ANY CONDITION STATED ABOVE? Yes No

TYPE SURGERY _____ DATE _____

PERTINENT COMMENTS: EVIDENCE RECOVERED AT AUTOPSY

Item Description:
~6 1/2 mo F fetus found at autopsy in uterus of mother 89-05239 (strangled - found with ligature about neck)

Fetus pink epic, plura. No indication of death prior to mother. Actually organs appeared as well as better preserved. Slight sluggish but mother via oral autopsy, fly eggs, marking.

11-5-89 micro (b) (w) a/c

 M.D.
DEPUTY MEDICAL EXAMINER

DEATH CERTIFICATE ISSUED

FINAL DATE ISSUED _____ ISSUED BY _____

PENDING DATE ISSUED _____ ISSUED BY _____

REQUEST
 Police Report
 Med. History
 Investigations
 Criminalistics

HISTOPATH CUT: AUTOPSY LAB
 MICROBIOLOGY
 NEUROPATHOLOGY

TOXICOLOGICAL SPECIMENS COLLECTED

YES, by _____
 BLOOD: HEART (OTHER)
 BILE GB BRAIN
 LIVER SPLEEN
 URINE KIDNEY
 STOMACH CONTENTS VITREOUS
 NO BLOOD
 EMBALMED
 > 24 HR IN HOSPITAL
 NOT INDICATED
 OTHER _____ (REASON)

TOXICOLOGICAL ANALYSES ORDERED

SCREEN: C H T
 ALCOHOL ONLY
 CARBON MONOXIDE
 OTHER (SPECIFY DRUG AND TISSUE)

SUPPLEMENTAL REQUEST (17A)

Typing Blood Taken by HEART OTHER *rooted heart open disc*

PRIOR EXAMINATION REVIEW
 BODY TAG MED. RECORD
 CLOTHING AT SCENE PHOTO
 SPL PROCESSING TAG X-RAY
 FLUORO

WHITE - FILE COPY
CANARY - FORENSIC LAB COPY
PINK - INVESTIGATION COPY
GOLDENROD - MEDICAL EXAMINER COPY

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LOS ANGELES COUNTY, CALIFORNIA**

16

89-09304
Washington Baby Girl

avg
~ 6 1/2 mos

EXTERNAL EXAM

Sex
Race
Age
Height
Weight
Hair *cut*
Eyes
Sclera
Teeth *35 lbs*
Mouth
Tongue *28*
Nose
Chest *27*
Breasts
Abdomen *7 mos*
Scar
Genital

Edema *sl ant*
Skin *ac healthy sl less than*
Decub *34*
HEART Wt *34*
Pericard
Hypert
Dilat
Muscle
Valves
Coronar

AORTA
VESSELS
LUNGS Wt
R *14.0*
L *9.5*
Adhes
Fluid
Atelectasis
Oedema
Congest
Consol
Bronchi
Nodes

one chat
6-7 mos
12 24 - (27-28 lbs)
CH 19
CI 36 (-27-28)
F 5.4 (26-27 mos)

PERITONEUM

Fluid
Adhes
LIVER Wt *42*
Caps
Lobul *sl br*
Fibros *sl ant*
G B
Calc
Bile ducts
SPLEEN Wt *1.5*
Color
Consist
Caps
Malpig

PANCREAS *sl ant*
ADRENALS *2 ant prepared*
KIDNEYS Wt *8.0*
Caps
Cortex *sl ant*
Vessels *p br h*
Pelvis
Ureter *sl br pos*

BLADDER
GENITALIA
Prost-
Testes
Uterus
Tubes
Ovar

ESOPHAGUS
STOMACH
DUOD & SM INT
APPENDIX
LARGE INT

ABDOM NODES
SKELETON
Spine
Marrow

PHARYNX
TRACHEA
THYROID
THYMUS

BRAIN Wt 140

Dura
Fluid *sl ant*
Ventric *sl ant*
Vessels *sl cong*
Ears
Nasal Sin *no pus*
PITUITARY

TOXICOLOGY

nil EDTA packed bl bank
br, lu, kid, 68
SECTIONS

st
+
mid

GROSS IMPRESSION

Amoebic
1 U F 15, female,
825 gms,
avg 6 1/2 mos of life
1 Pl Mem esp,
plena
6 natural strangulation
see cc 89-09304

See top
See tri w

2
2
2

LOS ANGELES COUNTY CALIFORNIA
DEPARTMENT OF MEDICAL EXAMINER-CORONER
CHIEF MEDICAL EXAMINER-CORONER



Date 9.25.89

Time 2pm

Deputy Medical Examiner

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DEPARTMENT OF MEDICAL EXAMINER - CORONER
LOS ANGELES COUNTY, CALIFORNIA**

Report of Toxicological Analyses
 Department of Chief Medical Examiner-Coroner
 County of Los Angeles

10/10/89

Non-Pending

TO: Susan F. Salsar, M.D.
 Deputy Medical Examiner

FROM: Forensic Toxicology Laboratory
 Forensic Science Laboratories Division

SUBJECT: Coroner's Case Number 89-05004 WASHINGTON, BABY GIRL

In accordance with your request, toxicological analyses have been performed and are now completed on the subject case as tabulated below:

Tissue	Analyses Requested	Drugs Analyzed	Level Found	Assigned Toxicologist	Date Analyzed
Brain	Alcohols	Ethanol	0.07 G%	J. Park	09/28/89
Blood	Alcohols	Ethanol	0.04 G%	J. Park	09/28/89
Blood	Narcotics	Codeine	ND	L. Mahoney	10/04/89
Blood	Narcotics	Morphine	ND	L. Mahoney	10/04/89
Blood	Phencyclidine	Phencyclidine	ND	L. Mahoney	10/04/89
Brain	Cocaine	Cocaine	0.09 US/ML	C. Collins	10/05/89
Brain	Cocaine	Benzylecgonine	0.15 US/ML	C. Collins	10/05/89

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LEGEND:
 MG/L = Milligram per Liter G% = Gram Percent
 US/ML = Micrograms per Milliliter ND = Not Detected
 QNS = Quantity Not Sufficient MG = Milligrams
 US/G = Micrograms per Gram
 MG/DL = Milligram per Deciliter
 TNP = Test Not Performed

LOS ANGELES COUNTY, CALIFORNIA
 DEPARTMENT OF MEDICAL EXAMINER - CORONER
 CHIEF MEDICAL EXAMINER - CORONER

JOSEPH J. NUTO
 SUPERVISING FORENSIC TOXICOLOGIST

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LOS ANGELES COUNTY, CALIFORNIA**

1
B

Tape# NOT

Start _____ End _____
Start _____ End _____
Start _____ End _____

REPORTED AS:

CORONER'S CASE
INQUIRY
N.C.C.

CASE NO. 89-09304
See Also: 89-09239

LAST NAME WASHINGTON

FIRST BABY GIRL MIDDLE _____

Natural Accident Suicide Homicide
 At Work Nursing Home In Custody State Hosp.

Age 5-6mos MALE FEMALE

Post Mortem at M.E.C. MORTUARY GESTATION Request of _____

PLACE OF DEATH - NAME OF FACILITY _____ STREET ADDRESS _____

DATE OF DEATH - Month, Day, Year _____ HOUR _____ FOUND OR PRONOUNCED BY _____ SCENE PHONE _____

Usual Residence _____

Reported by _____ Address _____ Phone _____

Reported to M.E.C. _____ Date/Time _____

Investigating Agency _____ Officer _____ DATE TIME _____

Next of Kin _____ Relationship _____

Address _____ Phone _____

Notified by _____ DATE TIME _____

DESCRIBE TERMINAL EPISODE AND OTHER PERTINENT INFORMATION:

FOUND @ AUTOPSY

THIS SECTION FOR INQUIRY ONLY

Attending Physician _____ Phone _____

Address _____ LAST DATE ATTENDED _____

CAUSE OF DEATH	22. DEATH WAS CAUSED BY: IMMEDIATE CAUSE (A)	(ENTER ONLY ONE CAUSE PER LINE FOR A, B, AND C)	Approximate Interval Between Onset & Death	BIOPSY
	(B) DUE TO, OR AS A CONSEQUENCE OF			AUTOPSY
	(C) DUE TO, OR AS A CONSEQUENCE OF			
23. Other Conditions Contributing But Not Related To The Immediate Cause of Death		27. Was Operation Performed For Any Condition in Items 22 or 23? Operation _____ Date _____		

Discussed With _____ M.D. By _____ Deputy _____

Date & Time Mortuary Notified _____

Approved _____

Original Jurisdictional Determination Record

DO NOT DISCARD

RECEIVED
Office of the
State Public Defender
Sacramento Office

2020 MAY 21 PM 2:25

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LOS ANGELES COUNTY, CALIFORNIA**

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State Public Defender
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WILLIAM C. WHALEY
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770 L Street, Suite 1000
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E-mail: william.whaley@ospd.ca.gov

Attorneys for Appellant

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff and Respondent,

v.

CHESTER DEWAYNE TURNER

Defendant and Appellant.

No. S154459

(Los Angeles County Superior
Court No. BA273283-01)

Death Penalty Case

**PROPOSED ORDER GRANTING APPELLANT'S MOTION TO TAKE
JUDICIAL NOTICE**

No. S154459

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

THE PEOPLE, Respondent,

v.

CHESTER DEWAYNE TURNER, Appellant.

Appellant’s “Motion to Take Judicial Notice,” filed on June ____, 2020,
is hereby granted.

Chief Justice

DECLARATION OF SERVICE

Case Name: ***People v. Turner (Chester Dewayne)***
Case Number: **Supreme Court Case No. S154459**
Los Angeles County Superior Court No. BA273283-01

I, **Brenda J. Buford**, declare as follows: I am over the age of 18, and not party to this cause. I am employed in the county where the mailing took place. My business address is 770 L Street, Suite 1000, Sacramento, California 95814. I served a true copy of the following document:

**APPELLANT’S MOTION TO TAKE JUDICIAL NOTICE
AND PROPOSED ORDER**

by enclosing it in envelopes and 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.

The envelopes were addressed and mailed on **June 16, 2020**, as follows:

Chester Dewayne Turner, J-69942 CSP-SQ 1 AC 8 San Quentin, CA 94974	Honorable William R. Pounders, Judge Criminal Appeals Unit 210 West Temple Street, Room M-3 Los Angeles, CA 90012
--	---

The aforementioned document(s) were served electronically (via TrueFiling) to the individuals listed below on **June 16, 2020**:

Blythe J. Leszkay Deputy Attorney General Attorney General–Los Angeles Office 300 South Spring Street, 5 th Floor Los Angeles, CA 90013 <i>E-mail: blythe.leszkay@doj.ca.gov</i>	California Appellate Project 345 California St., Suite 1400 San Francisco, CA 94104 <i>E-mail: docketing@capsf.org</i>
---	---

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Signed on **June 16, 2020**, at Sacramento, CA.

/s/

BRENDA J. BUFORD

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. TURNER (CHESTER DEWAYNE)**

Case Number: **S154459**

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: **William.Whaley@ospd.ca.gov**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
SUPPLEMENTAL BRIEF	003_20200616_Turner_2SAOB
MOTION	004_20200616_Motion for judicial notice

Service Recipients:

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Blythe Leszkay Office of the Attorney General 221880	blythe.leszkay@doj.ca.gov	e-Serve	6/16/2020 8:24:34 AM
Peggy Huang Office of the Attorney General	docketinglaawt@doj.ca.gov	e-Serve	6/16/2020 8:24:34 AM
California Appellate Project	docketing@capsf.org	e-Serve	6/16/2020 8:24:34 AM

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.

6/16/2020

Date

/s/Brenda Buford

Signature

Whaley, William (293720)

Last Name, First Name (PNum)

Office of the State Public Defender

Law Firm