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SUPREME COURT COPY

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**SUPREME COURT
FILED**

NOV 21 2016

Jorge Navarrete Clerk

Deputy

In the Supreme Court of the State of California

**THE PEOPLE OF THE STATE OF
CALIFORNIA,**

Plaintiff & Respondent,

v.

MAURICE G. STESKAL,

Defendant & Appellant.

CAPITAL CASE

Case No. S122611

*Orange Co. Super. Ct.
Case No. 99ZF0023*

**ANSWER TO AMICI CURIAE BRIEF FILED BY
MENTAL HEALTH AMERICA AND NATIONAL ALLIANCE
ON MENTAL ILLNESS**

Mental Health America and National Alliance on Mental Illness have filed an amici curiae brief and this Court has invited us to respond. Amici curiae assert that there is a consensus among national mental health

DEATH PENALTY

organizations that the death penalty should not be imposed on individuals with severe mental illness and asks this Court to bar the execution of such individuals. (Amici brief at 1-26.) We feel we adequately addressed this subject in our respondent's brief. (RB at 62-63, citing *People v. Hajek & Vo* (2014) 58 Cal.4th 1144, 1252 ["We leave it to the Legislature, if it chooses, to determine exactly the type and level of mental impairment that must be shown to warrant a categorical exemption from the death penalty"]; see also RB at 62, citing *People v. Boyce* (2014) 59 Cal.4th 672, 722 [this Court has "refused to extend the holding in *Atkins* [*v. Virginia* (2002) 536 U.S. 304, 318] to certain types of personality disorders or to mental illness in general"].)

Dated: November 18, 2016 Respectfully submitted,

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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *People v. Steskal*

No.: S122611

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 collection and processing of correspondence for mailing with the United States Postal Service. 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.

On November 18, 2016, I served the attached **ANSWER TO AMICI CURIAE BRIEF FILED BY MENTAL HEALTH AMERICA AND NATIONAL ALLIANCE ON MENTAL ILLNESS**, by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 600 West Broadway, Suite 1800, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

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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 November 18, 2016, at San Diego, California.

STEPHEN MCGEE

Declarant



Signature