

**BILL LOCKYER**  
Attorney General

State of California  
**DEPARTMENT OF JUSTICE**



# SUPREME COURT COPY

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April 14, 2006

Frederick K. Ohlrich  
Court Administrator and Clerk  
of the Supreme Court  
Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-4783

**SUPREME COURT  
FILED**

APR 20 2006

**Frederick K. Ohlrich Clerk**

RE: People v. Michael Allen and Cleamon Johnson  
No. S066939

DEPUTY

Dear Mr. Ohlrich:

Respondent respectfully requests permission to file this letter brief, adding the following case citation to the end of the first paragraph on page 268 of the Respondent's Brief: People v. Cooper (1991) 53 Cal.3d 771, 835-836 ("When a person violates his oath as a juror, doubt is cast on that person's ability to otherwise perform his duties").

Respectfully submitted,

BILL LOCKYER, Attorney General  
of the State of California

ROBERT R. ANDERSON  
Chief Assistant Attorney General

PAMELA C. HAMANAKA  
Senior Assistant Attorney General

JOHN R. GOREY  
Deputy Attorney General

A handwritten signature in black ink, appearing to read "Gary A. Lieberman".

GARY A. LIEBERMAN  
Deputy Attorney General  
State Bar No. 150876  
Attorneys for Respondent

# DEATH PENALTY

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: *People v. Michael Allen and Cleamon Johnson*

No.: S066939

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 and 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 that same day in the ordinary course of business.

On **April 17, 2006**, I served the attached **LETTER BRIEF (Capital Case)** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

**Brent F. Romney**  
**Attorney at Law**  
**101 S. Kraemer Boulevard, Suite 240**  
**Placentia, California 92870**  
**(Attorney for Michael Allen)**  
**Served 2 Copies**

**Andrew S. Love**  
**Assistant State Public Defender**  
**State Public Defender's Office - San**  
**Francisco**  
**221 Main St., 10th Floor**  
**San Francisco, CA 94105**  
**(Attorney for Cleamon Johnson)**  
**Served 2 Copies**

**John A. Clarke, Clerk of the Court**  
**Los Angeles County Superior Court**  
**111 N. Hill Street**  
**Los Angeles, CA 90012**  
**For Delivery to: Hon. Charles E. Horan,**  
**Judge**

**Steve Cooley, District Attorney**  
**Jennifer Lentz Snyder**  
**Deputy District Attorney**  
**Los Angeles County District Attorney's**  
**Office**  
**210 West Temple Street, Suite 18000**  
**Los Angeles, CA 90012**

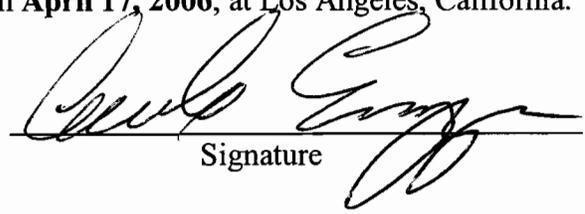
**Governor's Office**  
**Attn: Legal Affairs Secretary**  
**State Capitol, First Floor**  
**Sacramento, CA 95814 E-15**

**Michael G. Millman**  
**Executive Director**  
**California Appellate Project (SF)**  
**101 Second Street, Suite 600**  
**San Francisco, CA 94105**

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 **April 17, 2006**, at Los Angeles, California.

Consuelo Esparza

Declarant



Signature

GAL:ce  
LA1998XS0006  
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