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LICENSED IN NY, CA & DC

January 25, 2021

Jorge E. Navarrete  
Court Administrator & Clerk of the Supreme Court  
Supreme Court of the State of California  
350 McAllister Street  
San Francisco, California 94102-4797

RE: *People v. Steskal*, Case No. S122611

Dear Mr. Navarrete:

I will be presenting argument in this case on behalf of Appellant Maurice G. Steskal on Tuesday, February 2, 2021. At argument, I intend to focus on the following issues, as numbered in the Appellant's Opening and Reply Briefs:

I. Because there was substantial evidence that at the time of the homicide, Maurice Steskal actually but unreasonably believed he had to shoot Deputy Riches to defend himself, the trial court erroneously refused to instruct the jury on the theory of voluntary manslaughter.

VI. Just as with juveniles and the intellectually disabled, the execution of severely mentally ill individuals like Maurice Steskal, whose offenses were the direct result of psychosis or other extreme mental disorders, is cruel and unusual punishment in violation of the federal and state constitutions, and in any event the execution of Maurice Steskal would be unconstitutionally disproportionate to his personal culpability.

VIII. Because the prosecutor improperly argued to the penalty phase re-trial jury that Dr. Pettis's mental health testimony in mitigation was actually evidence that showed Maurice Steskal was homicidally dangerous and deserved to die, and also argued a supposed cover-up agreement not in

evidence, the judgment of death is fundamentally tainted and must be reversed.

Yours very truly,

/s/ \_\_\_\_\_

Gilbert Gaynor

Attorney for Maurice G. Steskal

**STATE OF CALIFORNIA**  
Supreme Court of California

**PROOF OF SERVICE**

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. STESKAL (MAURICE  
GERALD)**

Case Number: **S122611**

Lower Court Case Number:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

1/25/2021

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Date

/s/Gilbert Gaynor

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Signature

Gaynor, Gilbert (107109)

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Last Name, First Name (PNum)

Law Office of Gilbert Gaynor

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Law Firm