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Attorneys for Appellant
PAUL NATHAN HENDERSON

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,)	No. S098318
)	
Plaintiff and Respondent,)	(Riverside Superior
)	Court No. INF027515)
)	
vs.)	
)	
PAUL NATHAN HENDERSON)	
)	
Defendant and Appellant.)	

APPELLANT’S ADDITIONAL REQUEST FOR JUDICIAL NOTICE

ON AUTOMATIC APPEAL

FROM A JUDGMENT AND SENTENCE OF DEATH

Superior Court of California, County of Riverside

Hon. Thomas N. Douglass, Judge

In connection with the arguments made in Section V of Appellant's Opening Brief, at pp. 110-137, and Section V of Appellant's Reply Brief, at pp. 24-49, Appellant requests judicial notice pursuant to Cal. Evid. Code § 452(c), (h) of the following facts:

1. The trial judge, Hon. Thomas N. Douglass, Jr., passed away on September 23, 2018. A true and correct copy of his death certificate on file with the Riverside County Assessor-County Clerk-Recorder is attached hereto as Exhibit A and a true and correct copy of his obituary, found at <https://obituaries.desertsun.com/obituaries/thedesertsun/obituary.aspx?n=thomas-douglass&pid=190324354&fhid=9038>, is attached hereto as Exhibit B.
2. Since 2015, the prosecutor below, Dianna Carter, has not been admitted to practice law in the State of California. The State Bar webpage reflecting her status can be found at <http://members.calbar.ca.gov/fal/Licensee/Detail/142524>, a true and correct copy of which is attached hereto as Exhibit C. Exhibit C indicates that Ms. Carter's last known address was in the State of Mississippi.
3. The Mississippi State Bar website, which can be found at <https://www.msbar.org/lawyer-directory.aspx>, reveals that Ms. Carter is not admitted to practice law in Mississippi.

Dated: April 3, 2020

Respectfully submitted,

/s/Martin H. Dodd
Martin H. Dodd
Attorney for Appellant
Paul Nathan Henderson

EXHIBIT A

STATE OF CALIFORNIA
CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

3052018193609

CERTIFICATE OF DEATH

3201833011924

STATE FILE NUMBER 3052018193609		STATE OF CALIFORNIA USE BLACK INK ONLY / NO ERASURES, WHITEOUTS OR ALTERATIONS VS-1 (REV 3/06)		LOCAL REGISTRATION NUMBER 3201833011924	
1. NAME OF DECEDENT - FIRST (Given) THOMAS		2. MIDDLE NEWTON		3. LAST (Family) DOUGLASS JR.	
AKA, ALSO KNOWN AS - Include full AKA (FIRST, MIDDLE, LAST)					
4. DATE OF BIRTH mm/dd/yyyy 01/07/1947		5. AGE Yrs. 71	IF UNDER ONE YEAR Months Days	IF UNDER 24 HOURS Hours Minutes	6. SEX M
9. BIRTH STATE/FOREIGN COUNTRY AR		10. SOCIAL SECURITY NUMBER 449-78-0072		11. EVER IN U.S. ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNK	12. MARITAL STATUS/SRDP* (at Time of Death) MARRIED
13. EDUCATION - Highest Level/Degree (see worksheet on back) BACHELOR		14/15. WAS DECEDENT HISPANIC/LATINO(A)/SPANISH? (if yes, see worksheet on back) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		16. DECEDENT'S RACE - Up to 3 races may be listed (see worksheet on back) CAUCASIAN	7. DATE OF DEATH mm/dd/yyyy 09/23/2018
17. USUAL OCCUPATION - Type of work for most of life. DO NOT USE RETIRED COURT JUDGE		18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.) CRIMINAL LAW			19. YEARS IN OCCUPATION 27
20. DECEDENT'S RESIDENCE (Street and number, or location) 49035 BALADA COURT					
21. CITY LA QUINTA		22. COUNTY/PROVINCE RIVERSIDE		23. ZIP CODE 92253	24. YEARS IN COUNTY 34
25. STATE/FOREIGN COUNTRY CA		26. INFORMANT'S NAME, RELATIONSHIP JANA DOUGLASS, WIFE			
27. INFORMANT'S MAILING ADDRESS (Street and number, or rural route number, city or town, state and zip) 49035 BALADA COURT, LA QUINTA, CA 92253					
28. NAME OF SURVIVOR (SPOUSE/SRDP) - FIRST JANA		29. MIDDLE LYNETTE		30. LAST (BIRTH NAME) COX	
31. NAME OF FATHER/PARENT - FIRST THOMAS		32. MIDDLE NEWTON		33. LAST DOUGLASS SR	
34. BIRTH STATE AR		35. NAME OF MOTHER/PARENT - FIRST VIRGINIA		36. MIDDLE PAULINE	
37. LAST (BIRTH NAME) SEATON		38. BIRTH STATE AR		39. DISPOSITION DATE mm/dd/yyyy 09/28/2018	
40. PLACE OF FINAL DISPOSITION DESERT MEMORIAL PARK		41. TYPE OF DISPOSITION(S) BU			
42. SIGNATURE OF EMBALMER PAUL BROWN		43. LICENSE NUMBER EMB9116		44. NAME OF FUNERAL ESTABLISHMENT FITZHENRY-WIEFELS	
45. LICENSE NUMBER FD2003		46. SIGNATURE OF LOCAL REGISTRAR CAMERON KAISER, MD		47. DATE mm/dd/yyyy 09/25/2018	
101. PLACE OF DEATH OWN RESIDENCE		102. IF HOSPITAL, SPECIFY ONE <input type="checkbox"/> IP <input type="checkbox"/> ER/OP <input type="checkbox"/> DCA <input type="checkbox"/> Hospice		103. IF OTHER THAN HOSPITAL, SPECIFY ONE <input type="checkbox"/> Nursing Home/LTC <input checked="" type="checkbox"/> Decedent's Home <input type="checkbox"/> Other	
104. COUNTY RIVERSIDE		105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) 49035 BALADA COURT		106. CITY LA QUINTA	
107. CAUSE OF DEATH Enter the chain of events -- disease, injuries, or complications -- that directly caused death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventilator liberation without showing the etiology. DO NOT ABBREVIATE. IMMEDIATE CAUSE (Final disease or condition resulting in death) → (A) CARDIOPULMONARY ARREST (B) PANCREATIC CANCER Sequentially, list conditions, if any, leading to cause on Line A. Enter UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) → A1					
Time Interval Between Onset and Death (A) MINS (B) YRS (C) (D)		108. DEATH REPORTED TO CORONER? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO REFERRAL NUMBER 2018-11434		109. BIOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
110. AUTOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		111. USED IN DETERMINING CAUSE? <input type="checkbox"/> YES <input type="checkbox"/> NO			
112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107 NONE					
113. WAS OPERATION PERFORMED FOR AN / CONDITION IN ITEM 107 OP 112? (if yes, list type of operation and date.) NO					
114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED. Decedent Attended Since Decedent Last Seen Alive (A) mm/dd/yyyy (B) mm/dd/yyyy 09/11/2018 09/23/2018		115. SIGNATURE AND TITLE OF CERTIFIER SEEMA BIR M.D.		116. LICENSE NUMBER A95168	117. DATE mm/dd/yyyy 09/25/2018
118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE SEEMA BIR M.D.					
119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED. MANNER OF DEATH <input type="checkbox"/> Natural <input type="checkbox"/> Accidents <input type="checkbox"/> Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Could not be determined <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK					
120. INJURED AT WORK? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK					
121. INJURY DATE mm/dd/yyyy					
122. HOUR (24 Hours)					
123. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.)					
124. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury)					
125. LOCATION OF INJURY (Street and number, or location, and city, and zip)					
126. SIGNATURE OF CORONER / DEPUTY CORONER		127. DATE mm/dd/yyyy		128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER	
STATE REGISTRAR		A B C D E		FAX AUTH.#	
CENSUS TRACT		*010001003996013*			

CERTIFIED COPY OF VITAL RECORD
 STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

This is a true and exact reproduction of the document officially registered and placed on file in the office of the County of Riverside, Assessor-County Clerk-Recorder.

MAR 18 2020

DATE ISSUED

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Assessor-County Clerk-Recorder.



Peter Aldana
 PETER ALDANA
 ASSESSOR-COUNTY CLERK-RECORDER
 RIVERSIDE COUNTY, CALIFORNIA



CARIVERS02

EXHIBIT B

OBITUARIES

FUNERAL HOMES

SEND FLOWERS

NEWS & ADVICE

MEMORIALS

SERVICES



FitzHenry-Wiefels Cremation & Burial Service

83057 Requa Avenue
Indio, CA 92201
760-347-2265

- Send Flowers
- Email Service Info
- Website | Map

[See Services Detail](#)

RESOURCES

- More Obituaries for Thomas Douglass
- Looking for an obituary for a different person with this name?

Thomas Douglass Jr.

1947 - 2018

Add a Memory

Share This Page



Thomas Douglass Jr.

La Quinta - The Hon. Thomas N. Douglass, Jr., retired Superior Court Judge and former Assistant District Attorney for Riverside County, passed away peacefully on Sunday, September 23, 2018. Tom was born January 7, 1947 to Tom, Sr. and Polly Douglass in Little Rock, Arkansas. Because his dad was a career officer in the [United States Navy](#), Tom spent his youth moving to ports all over the U.S. and abroad.

After completing his undergraduate studies (California State University Long Beach) and legal education (University of California Hastings College of Law), Tom was sworn as a Deputy District Attorney for Riverside County in 1972. Tom eventually relocated to the Coachella Valley where he ran the Eastern Division of the Riverside County D.A.'s Office in Indio as the Assistant District Attorney. Tom became a judge in 1986 and served until his retirement in 2007. Thereafter, he sat as a visiting judge on and off until 2013.

Tom is survived by his wife, Jana and their blended family, Kelly Sullivan-Douglass (Jim), Stephanie Ochoa, Erin Douglass (Ari), Amy Douglass (Curtis), Elizabeth Espiritu (Eduardo), Richard Salomon (Brooke), and eight grandchildren (Samuel, Benjamin, Cameron, Brandon, Zoe, Mia, Eli, and Ryan). Tom was predeceased by his parents and his only sibling, older brother Michael Joe Douglass of Arkansas.

A public memorial service will be held at the Fantasy Springs Casino in Indio on Friday, September 28, 2018 at 4:00 p.m.

Published in The Desert Sun from

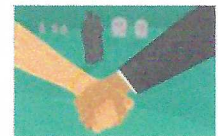
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REMEMBER

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MORE INFORMATION



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- ADVERTISEMENT -



EXHIBIT C



Dianna Kay Carter #142524

License Status: Inactive

Address: 105 Beach View Dr, Pass Chris, MS 39571-3503

County: Non-California County

Phone Number: Not Available

Fax Number: Not Available

Email: Not Available

Law School: UC Berkeley SOL; Berkeley CA

Below you will find all changes of license status due to both non-disciplinary administrative matters and disciplinary actions.

Date	License Status	Discipline	Administrative Action
Present	Inactive		
1/12/2015	Inactive		
12/11/1989	Admitted to The State Bar of California		

Additional Information:

- Explanation of licensee status
- Explanation of disciplinary system
- Explanation of disciplinary actions
- Copies of official licensee discipline records are available upon request

CLA Sections: None

California Lawyers Association (CLA) is an independent organization and is not part of The State Bar of California.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies as follows:

I am an employee of the law firm of Futterman Dupree Dodd Croley Maier LLP 601 Montgomery Street, Suite 333, San Francisco, CA 94111. I am over the age of 18 and not a party to the within action. I am readily familiar with the business practice of Futterman Dupree Dodd Croley Maier LLP for the collection and processing of correspondence.

On April 3, 2020, I served a copy of the following document(s):

APPELLANT’S ADDITIONAL REQUEST FOR JUDICIAL NOTICE

VIA U. S. MAIL: I caused such envelope(s) to be deposited in the mail at my business address, addressed to the addressee(s) designated. I am readily familiar with Futterman Dupree Dodd Croley Maier LLP’s practice for collection and processing of correspondence and pleadings for mailing. It is deposited with the United States Postal Service on that same day in the ordinary course of business.

Paul Nathan Henderson
P.O. Box T-19123
San Quentin, CA 94974

California Appellate Project
345 California Street, Suite 1400
San Francisco, California 94104

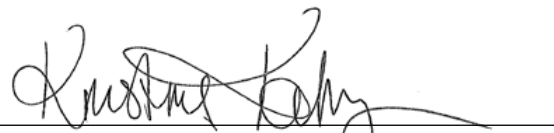
Nisha Shah
Habeas Corpus Resource Center
303 Second Street, #400
San Francisco, CA 94107

VIA ELECTRONIC SERVICE: I caused such document(s) to be served by email through court approved electronic service provider TrueFiling to the address(es) designated below.

Michael R. Snedeker
m.snedeker@comcast.net
Snedeker, Smith & Short
4110 S.E. Hawthorne Blvd., PMB 422
Portland, OR 97214

Jennifer Anne Jadovitz
Jennifer.Jadovitz@doj.ca.gov
Deputy Attorney General
110 W. “A” Street
San Diego, CA 92101

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on April 3, 2020 in California.



Kristine Kahey

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. HENDERSON (PAUL NATHAN)**

Case Number: **S098318**

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: **mdodd@fddcm.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
REQUEST	Appellants Additional RJN 4.3.20

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SDAG General San Diego County District Attorney	sdag.docketing@doj.ca.gov	e-Serve	4/3/2020 4:33:55 PM
Habeas Habeas Corpus Resource Center Fred Renfroe, Staff Attorney	docketing@hrc.ca.gov	e-Serve	4/3/2020 4:33:55 PM
Attorney Attorney General - San Diego Office Ronald A. Jakob, Deputy Attorney General 131763	ronald.jakob@doj.ca.gov	e-Serve	4/3/2020 4:33:55 PM
Attorney Attorney General - San Diego Office Holly D. Wilkens, Supervising Deputy Attorney General 88835	Holly.Wilkens@doj.ca.gov	e-Serve	4/3/2020 4:33:55 PM
Michael Snedeker Snedeker Smith & Short 62842	m.snedeker@comcast.net	e-Serve	4/3/2020 4:33:55 PM
Martin Dodd Futterman Dupree Dodd Croley Maier, LLP 104363	mdodd@fddcm.com	e-Serve	4/3/2020 4:33:55 PM
Kristine Kahey Futterman Dupree Dodd Croley Maier LLP	kkahey@Fddcm.com	e-Serve	4/3/2020 4:33:55 PM

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.

4/3/2020

Date

/s/Kristine Kahey

Signature

Dodd, Martin (104363)

Last Name, First Name (PNum)

Futterman Dupree Dodd Croley Maier LLP

Law Firm