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May 9, 2022

Jorge E. Navarrete, Clerk  
California Supreme Court  
Room 1295  
350 McAllister Street  
San Francisco, California 94102

Re: People v. Strong, California Supreme Court No. S266606/Court of Appeal No. C091162

Dear Mr. Navarrete:

Over the weekend, counsel for Mr. Strong has received a personal communication from Mr. Jonathan Demson followed by a letter to this Court by Mr. Demson, questioning counsel's view that Mr. Strong's interest would not be served by dividing Mr. Strong's oral argument time with amici. Mr. Demson's personal communication to counsel is yet another in a series of disparaging communications that counsel has received from amici since this Court granted review in this matter on March 10, 2021, all of them questioning counsel's work and counsel's decisions in this matter and, in some cases, demanding that counsel be accountable to one or more amici.

Mr. Demson also takes the position that counsel for Mr. Strong is required to justify counsel's decisions about this case to amici, and Mr. Demson questions counsel's legal judgment about the issues in this case. Counsel for Mr. Strong does not interpret California Rules of Court, rule 8.524 in this manner, nor does counsel interpret this court's appointment order as requiring counsel to justify her decisions to amici or to be accountable to them. Counsel was appointed to represent Mr. Strong, and counsel's duty is to protect his interests.

At this point, by taking the extraordinary step of requesting amici's own argument time, amici have taken their private criticisms of counsel's work in this case into a public forum. Counsel for Mr. Strong does not feel that it is appropriate or necessary to justify counsel's decisions in this forum.

However, counsel will say that counsel is aware that amici's position in this case is derived from an examination of counsel's petition for review filed on January 20, 2021, and that examination by amici resulted in a significant misunderstanding of the doctrine of collateral estoppel which one of the amici, by telephone, has informed counsel is "the answer" in this case. The continued stream of criticism and communications from amici, both private and now public, rests upon this fundamental misunderstanding.

Amici appear to be unaware that the collateral estoppel doctrine functions differently in civil and criminal law, and that the process of rendering judgment differs somewhat on the civil side from the criminal side. To the best of counsel's knowledge, the amici in this case have never worked in civil litigation. Counsel for Mr. Strong began her legal career in the litigation section at Hunton & Williams, now Hunton, Andrews, Kurth, and has had experience with the differences in the application of the doctrine. Counsel notes that almost all of the authorities in the briefs of amici are civil, not criminal, cases.

Clearly, by taking the extraordinary step of making amici's heretofore private criticisms of counsel for Mr. Strong public and by demanding accountability to amici in that public forum, amici have shown the greatest disrespect for counsel. Amici have never considered that their reasoning which is based upon their examination of counsel's original petition is flawed.

Counsel for Mr. Strong respectfully awaits the outcome of this Court's decision concerning amici's extraordinary request. Counsel feels that Mr. Strong's interests are best served by a presentation focused on the substantive criminal law of California rather than upon the differences between collateral estoppel on the civil side and the criminal side.

Respectfully submitted,

*Deborah Hawkins*

Deborah L. Hawkins  
Counsel for Appellant  
Christopher Strong

Case Name: People v. Strong

Case No. S266606

### **DECLARATION OF SERVICE**

I, the undersigned, say: I am over 18 years of age, employed in the County of San Diego, California, and not a party to the subject cause. My business address is 1637 E. Valley Parkway PMB 135, Escondido, California 92027.

On May 9, 2022, I served the attached

Appellant's Letter Response to Amici's Request for Argument Time

of which a true and correct copy of the document filed in the cause is served by TrueFiling or by United States Mail by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

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Case Name: People v. Strong

Case No. S266606

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Each document was filed through TrueFiling or deposited in the United States mail by me at Escondido, California, on May 9, 2022.

I declare under penalty of perjury that the foregoing is true and correct, and this declaration was executed at Escondido, California on May 9, 2022.

DEBORAH L. HAWKINS

*Deborah Hawkins*

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**STATE OF CALIFORNIA**  
Supreme Court of California

**PROOF OF SERVICE**

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. STRONG**

Case Number: **S266606**

Lower Court Case Number: **C091162**

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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.

5/9/2022

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Date

/s/Deborah Hawkins

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Signature

Hawkins, Deborah (127133)

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Last Name, First Name (PNum)

Deborah L. Hawkins

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Law Firm