IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,	)	
Plaintiff and Respondent,	)	Supreme Court No. S279670
v.	)	Court of Appeal No. B320352
RAMON PATTON,	)	
Defendant and Appellant.	)	Superior Court No. TA144611

APPEAL FROM THE SUPERIOR COURT
OF LOS ANGELES COUNTY
Honorable Hector E. Gutierrez, Judge

REPLY BRIEF ON THE MERITS

JONATHAN E. DEMSON
Attorney at Law
Cal. State Bar No. 167758
2632 Wilshire Blvd #291
Santa Monica, CA 90403
(310) 405-0332
jedlaw@me.com

Attorney for Appellant

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Cases (California)

Statutes

Rules

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,	)	
Plaintiff and Respondent,	)	Supreme Court No. S279670
v.	)	Court of Appeal No. B320352
RAMON PATTON,	)	
Defendant and Appellant.	)	Superior Court No. TA144611

ARGUMENT

I. THERE IS NO BASIS IN SECTION 1172.6 FOR RESPONDENT'S COMPLEX BURDEN-SHIFTING APPROACH TO THE PRIMA FACIE SHOWING STAGE OF THE PROCEEDINGS

Respondent claims that, in order to make a prima facie showing of eligibility for resentencing under section 1172.6, petitioners in plea cases must present a theory of the case pursuant to which they could have been convicted of murder or attempted murder at the time of their plea pursuant to the felony murder rule or the natural and probable consequences doctrine.[1] Failure to do so warrants summary denial of the petition unless such a theory of the case is obviously supported by the evidence presented at the petitioner's preliminary hearing.

One court of appeal recently issued an opinion more or less consistent with respondent's interpretation of the statute.

[1] Undesignated statutory references are to the Penal Code.

Respondent's reading of the statute would permit trial courts to summarily deny a resentencing petition at the prima facie showing stage of the proceedings based entirely on the facts of the case as adduced at the preliminary hearing. Respondent notes that, because this phase of the proceedings is limited to a purely legal assessment of the petition, the petitioner is not permitted to supplement his or her petition with an offer of proof.

Respondent's proposed approach, involving burden shifting based on the facts of the case at this purely legal phase of the proceedings, makes little sense and has no basis in the statute. It is also plainly inconsistent with this Court's observation that the prima facie bar was intentionally and correctly set very low by the California Legislature.

The better reading of the statute is that evidence-based challenges to a petitioner's eligibility for relief are to be resolved at an evidentiary hearing pursuant to section 1172.6, subdivision (d)(3), at which both parties have the opportunity to present new or additional evidence. It is evident from the design of the statute that an evidentiary hearing is the appropriate procedure for resolving such disputes.

A. The Split in Authority; One New Case

Appellant's opening brief on the merits included a review of the split in authority over whether reliance on preliminary hearing evidence in summarily denying a resentencing petition is permissible under the terms of the statute. Since that brief was filed, Division Two of the Fourth Appellate District issued a decision in *People v. Mares* (2024) 99 Cal.App.5th 1158 [318

Cal.Rptr.3d 439], addressing the same issue.

In *Mares*, the defendant sought resentencing regarding his plea in 2019 to voluntary manslaughter. The *Mares* court began its analysis with the following observation: "The record of conviction includes the preliminary hearing transcript, where police recounted Mares's admissions that he stabbed the victim and acted alone. There is nothing in the record of conviction suggesting the involvement of an accomplice; the only murder theories supported by the record of conviction are theories where Mares was the actual killer and acted alone in stabbing the victim." (318 Cal.Rptr.3d at p. 440.)[2] "Mares's conclusory assertion that he could not be convicted today 'because of' the 2019 changes to sections 188 and 189 is refuted by uncontradicted facts in the record." (*Id*. at p. 443.)

According to *Mares*, in some plea cases, evidence presented at the preliminary hearing shows that the petitioner's homicide conviction could not have been based on a theory of murder liability abrogated by S.B. 1437. In such cases, the petitioner "would need some evidence to explain on what theory the record evidence could be disregarded in favor of one of the abrogated

---

[2] *Mares* asserts that the changes to California's homicide laws wrought by S.B. 1437 "benefit some accomplices to murder but they never affect the murder liability of the killers." (*Id*. at p. 443.) This is not correct, as the aforementioned amendments eliminated the offense of second-degree felony murder, even for the actual killer. (See *People v. DeHuff* (2021) 63 Cal.App.5th 428, 442; *In re White* (2019) 34 Cal.App.5th 933, 937, fn. 2 ["effective January 1, 2019, the second degree felony-murder rule in California is eliminated"]; accord, ABM at p. 43, fn. 17.)

accomplice theories of murder." (*Id*. at p. 446.)

"It would require an unlikely situation for a petitioner to properly allege such facts after pleading guilty in the face of a murder charge based on uncontradicted evidence that they were the actual killer, but we need not foreclose the *possibility* of such a petition. We do not suggest all the People's preliminary hearing evidence was necessarily true. We simply recognize the absence of any theory, incompatible with the record, that the defendant was guilty of aiding and abetting an unidentified actual killer in a crime, other than murder, that led to the victim's death." (*Ibid*.)

As the *Mares* court observed, "Our approach is in accord with, but somewhat different than, the approach taken in [*People v. Patton* (2023) 89 Cal.App.5th 649, review granted, June 28, 2023, S279670] and [*People v. Pickett* (2023) 93 Cal.App.5th 982, review granted, Oct. 11, 2023, S281643]. *Patton* and *Pickett* hold that a court may conclude a guilty-plea defendant *was* the actual killer from an uncontradicted preliminary hearing record, precluding a section 1172.6 prima facie case. We emphasize here, however, that the same uncontradicted record evidence refutes Mares's conclusory claim in his section 1172.6 petition that he would not be convicted today 'because of' Senate Bill 1437. Our approach clarifies that no factfinding is needed to reject the petition, as a court need not find any individual fact in the preliminary hearing was true, only that the claim that Senate Bill 1437 could matter is unsupported by the record. Our approach also leaves open the possibility (unlikely on most sets of

facts) that a petitioner like Mares could replace his conclusory assertion with a declaration creating a factual issue by explaining there was another killer whom he assisted in a crime from which the murder resulted." (*Id*. at p. 450.)

Addressing the petitioner's burden in such cases, the *Mares* court declined to get into specifics: "We need not decide under what circumstances a petitioner could credibly contradict undisputed evidence from the record of conviction by asserting facts that would show he may be eligible for resentencing because he acted as an accomplice. Mares submitted no declaration asserting such facts. Even if his prima facie burden is only to assert what evidence he *would* introduce to establish how he might show he was an accomplice in a crime with someone else who killed the victim, Mares has not tried to do that. There is no basis for us to conceive of how he could not be guilty 'because of' changes that Senate Bill 1437 made by eliminating some accomplice liability theories." (*Id*. at p. 452.)

B. Respondent's Proposed Approach To the Prima Facie Showing Stage of the Proceedings In Plea Cases Like This One Makes Little Sense and Has No Basis In the Statute

Like *Mares*, respondent's argument focuses on two related provisions of section 1172.6. The first is subdivision (b)(1)(A), which requires that a resentencing petition shall include, "A declaration by the petitioner that the petitioner is eligible for relief under this section, based on all the requirements of subdivision (a)." (Pen. Code, § 1172.6, subd. (b)(1)(A).) The

second is subdivision (a)(3), which specifies that, to be eligible for resentencing, "The petitioner could not presently be convicted of murder or attempted murder because of changes to Section 188 or 189 made effective January 1, 2019." (Pen. Code, § 1172.6, subd. (a)(3); see *Mares, supra,* 318 Cal.Rptr.3d at pp. 443, 445; ABM at p. 23.)

The question here is how far a petitioner must go to make a prima facie showing that he or she could not be convicted of murder or attempted murder because of the recent amendments to California's murder laws.

This Court has previously addressed challenges to a petitioner's prima facie showing of eligibility for resentencing based on jury findings. (See *People v. Curiel* (2023) 15 Cal.5th 433 [gang murder special circumstance true finding not preclusive of eligibility for relief]; *People v. Strong* (2022) 13 Cal.5th 698 [felony murder special circumstance finding not preclusive of eligibility for relief].) In those cases, the People argued that a particular jury finding precluded the petitioner's claim that he could not presently be convicted of murder because of the statutory amendments enacted by S.B. 1437.

Here, by contrast, the claim that appellant cannot make the showing required by section 1172.6, subdivision (a)(3), is based entirely on the evidence presented at his preliminary hearing. Respondent's argument is largely consistent with *Mares*, except in one respect that will be discussed *infra*. According to both respondent and *Mares*, in some cases it is apparent from the preliminary hearing evidence that the

petitioner could have been prosecuted pursuant to an invalidated theory of murder or attempted murder liability: "In that type of case, no briefing by the petitioner would be necessary because the parties will agree that the record does not conclusively refute the claim for relief." (ABM at p. 36.) In such cases, the declaration filed pursuant to section 1172.6, subdivision (b)(1)(A), is adequate to establish a prima facie showing of eligibility for relief. (See *Mares, supra,* 318 Cal.Rptr.3d at p. 446 ["the form petition's conclusory assertion *is* sufficient where the record contains a possibility that the defendant could have been guilty under a now-abrogated accomplice theory"].)

In some cases, however, the preliminary hearing evidence does not provide a sufficient basis for prosecution pursuant to the felony murder rule or the natural and probable consequences doctrine. In such cases, the trial court may rely on that evidence to summarily deny the petition because the evidence forecloses the showing required by section 1172.6, subdivision (a)(3), unless the petitioner supplements the record with something else. (ABM at pp. 35-36; see *Mares, supra,* 318 Cal.Rptr.3d at p. 446.)

Both respondent and the *Mares* court assert that the trial court does not engage in impermissible factfinding by relying on preliminary hearing evidence at the prima facie showing stage of the proceedings. (ABM at pp. 31-32; see *Mares, supra,* 318 Cal.Rptr.3d at p. 447.) This claim is based on a reading of the statute under which uncontroverted preliminary hearing evidence is deemed sufficient to create a presumption that the petitioner is ineligible for resentencing. The argument begins

with the presumption that the only theories of the case available to the prosecution at the time of the plea were those supported by preliminary hearing evidence. (See *Mares, supra,* 318 Cal.Rptr.3d at p. 448 ["There also is ordinarily no reason to suspect that the record could be supplemented with other facts that could establish an accomplice theory of murder, whether an abrogated theory or not"].) For the petitioner to be eligible for resentencing, the preliminary hearing evidence must support a theory of the case based on an invalidated theory of murder or attempted murder liability. So, for example, in this case the preliminary hearing evidence must support a theory of attempted murder liability based on the natural and probable consequences doctrine. Regardless of the veracity of that evidence, so the argument goes, if there was no evidentiary basis for such a theory of the case, then appellant could not have been prosecuted based on that theory. And if that is true, he cannot make the showing required by section 1172.6, subdivision (a)(3).[3] (ABM at p. 32; see *Mares, supra,* 318 Cal.Rptr.3d at pp. 447-448.)

In *Pickett* and the court of appeal's opinion in this case (*Patton*), the analysis is based on the petitioner's failure to dispute his or her liability for murder or attempted murder under current law: "Under these circumstances, where the defendant

---

[3] *Mares* purports to allow the petitioner to come up with something to supplement the preliminary hearing transcript and show that he or she could have been prosecuted pursuant to an abrogated theory of the case. But the petitioner must do so as part of his or her prima facie showing of eligibility for relief. Otherwise, the petition may be denied without an evidentiary hearing. (See *Mares, supra,* 318 Cal.Rptr.3d at pp. 446-447.)

alleges no facts concerning the murder to which he pleaded guilty, the People introduce without objection uncontroverted evidence from the preliminary hearing transcript showing that the defendant acted alone in killing the victim, and the defendant does not put forth, by way of briefing or oral argument, any factual or legal theory in support of his petition, the defendant has failed to make a prima facie showing for relief under section 1172.6." (*Pickett, supra,* 93 Cal.App.5th at p. 990; see *Patton, supra,* 89 Cal.App.5th at p. 657 ["In the trial court, Patton never offered any theory to support his implicit contention now that he was an accomplice and not the person who actually shot Jackson. Nor, on appeal, has Patton even suggested what facts he has to demonstrate that someone else shot Jackson and he was merely an accomplice"].)

The *Mares* court focused instead on the sufficiency of the evidence supporting a potential prosecution at the time of the plea pursuant to an abrogated theory: "*Patton* and *Pickett* hold that a court may conclude a guilty-plea defendant *was* the actual killer from an uncontradicted preliminary hearing record, precluding a section 1172.6 prima facie case. We emphasize here, however, that the same uncontradicted record evidence refutes Mares's conclusory claim in his section 1172.6 petition that he would not be convicted today 'because of' Senate Bill 1437. Our approach clarifies that no factfinding is needed to reject the petition, as a court need not find any individual fact in the preliminary hearing was true, only that the claim that Senate

Bill 1437 could matter is unsupported by the record." (*Mares, supra,* 318 Cal.Rptr.3d at p. 450.)

Either way, in order to sustain a prima facie showing of eligibility for relief, a petitioner like appellant must, in effect, prosecute himself retrospectively, showing how he could have been convicted in 2018 for attempted murder as an accomplice based on the natural and probable consequences doctrine. As the *Mares* court explained, "For Mares to assert that the changes to sections 188 and 189 would have rendered him not guilty under today's law, he must assert he would have defended himself by offering facts to support a murder theory that is now abrogated, but he did not do so because admitting that theory then meant he would have admitted he was guilty of murder. That is the only way he would be not guilty 'because of' the changes in the law. [¶] That is, Mares must assert (a) there was some other person who was the actual killer and (b) Mares acted in concert with this person in some way that rendered Mares guilty of murder under a now-abrogated theory of accomplice liability." (*Id.* at p. 444.)

If there is already evidence in the record to support such a theory, then the petitioner's only obligation is to connect the dots. But where the preliminary hearing evidence is not sufficient to sustain such a theory, the petitioner must come up with something more.

No court has yet clarified what that 'something' is. Indeed, *Mares* explicitly declined to do so: "We . . . need not now decide whether a petitioner in this position (after appointment of counsel per section 1172.6, subdivision (b)(3)) must attach some

evidence, such as a declaration, to a petition to provide a prima facie basis for the claim that he would have defended himself based on facts proving a murder theory abrogated by Senate Bill 1437. Here, we do not even have an *assertion* by counsel as to the facts that would support Mares's claim that there was some other killer, and Mares's explanation for his claim that he aided that killer in some other crime that led to the murder. Finding a prima facie case in these circumstances indulges the possibility that Mares cannot assert facts that support the theory that he needs." (*Id*. at pp. 446-447.)

Respondent, however, is of the view that an offer of proof is neither required nor even permitted as this early stage of the proceedings: "Nor is any offer of proof required at the prima facie stage. . . . An offer of proof generally means an identification of 'actual evidence to be produced and not merely the facts or issues to be addressed and argued,' and would encompass evidence that is extraneous to the record. [Citation.] A petitioner is not required—and indeed is not permitted—to make an offer of proof because the prima facie inquiry is limited to the record of conviction. [Citations.] Instead, what the statute requires according to *Lewis*—in cases stemming from both trials and guilty pleas—is simply that the petitioner identify a faulty legal theory that could be supported by the facts in the record of conviction." (ABM at pp. 34-35.)[4]

---

[4] There is no basis for respondent's claim that, in *People v. Lewis* (2021) 11 Cal.5th 952, this Court interpreted the statute in the manner advocated by respondent. To the contrary, in *Lewis*, the Court noted that, "A petitioner is entitled to relief under section

Respondent's reading of the statute would require appellant to present a theory of his own prosecution for attempted murder based on the natural and probable

---

1170.95 only when he or she 'could not be convicted of first or second degree murder because of changes to section 188 or 189 made effective January 1, 2019.' (§ 1170.95, subd. (a)(3).) *We are not asked to resolve what is substantively required under subdivision (a)(3)*; here we only address if, in assessing whether the petitioner has made a prima facie case for relief under subdivision (c), the court may consider documents in the record of conviction if they are relevant to the underlying substantive question." (*Id*. at p. 972, fn. 6 [emphasis added]; see also *Curiel, supra,* 15 Cal.5th at p. 461 ["the allegation under section 1172.6, subdivision (a)(3) is part of the prima facie showing a petitioner must make in order to proceed to an evidentiary hearing. . . . While we have recognized this requirement, we have not previously explored its meaning"].)

Nor does this Court's decision in *People v. Delgadillo* (2022) 14 Cal.5th 216 endorse respondent's arguments, as respondent repeatedly claims (ABM at pp. 8, 9, 25, 28, 32, 34, 43, 46). In the concluding section of *Delgadillo*, this Court stated: "[W]e determine, based on our independent review of the record, that Delgadillo is not entitled to any relief under section 1172.6. Indeed, the record here makes clear that Delgadillo was the actual killer and the only participant in the killing. At trial, defense counsel conceded that the accident occurred while Delgadillo was driving on the wrong side of the road." (14 Cal.5th at p. 233.) The component of Delgadillo's record of conviction that precluded eligibility for resentencing was thus a concession by the defense at trial, not incriminating evidence. For purposes of a prima facie showing of eligibility for relief, a concession at trial is not materially different from an admission to disqualifying facts at a plea hearing, which then becomes part of the plea bargain. (See, e.g., *People v. Fisher* (2023) 95 Cal.App.5th 1022, 1028-1029.) Reliance on a concession is fundamentally different from reliance on preliminary hearing evidence as grounds for summarily denying a resentencing petition.

consequences doctrine, citing to evidence not found in the preliminary hearing transcript. Presumably, that theory of the case must be based on substantial evidence, yet it must be presented to the trial court *before* an evidentiary hearing has been ordered, at a stage of the proceedings at which, according to respondent, an offer of proof is not permitted. Despite this odd, catch-22 set of restrictions, respondent argues that appellant's failure to present such a theory at the prima facie showing stage of the proceedings warranted summary denial of his petition.

Respondent acknowledges that the burden on at least some petitioners may be substantial: "To be sure, some determinations in this regard —unlike the one in Patton's case—might not be straightforward. But that is not a reason to reject reliance on preliminary hearing transcripts at the prima facie stage altogether." (ABM at p. 33.)

This interpretation of the statute is plainly inconsistent with this Court's observation that the prima facie bar was intentionally and correctly set very low by the California Legislature (*Lewis, supra,* 11 Cal.5th at p. 972).

The awkwardness of respondent's proposed reading of the statute reflects the illogic of requiring a petitioner to present new facts at the prima facie showing hearing instead of at an evidentiary hearing. At the heart of the People's challenge to appellant's resentencing petition is the *absence* of certain facts in the preliminary hearing transcript, such as the identification of an accomplice. Respondent's proposal to allow courts to adjudicate a factual challenge at the prima facie showing hearing

raises myriad difficulties because of the purely legal nature of the trial court's assessment at that stage of the proceedings. The statute sets forth in detail how such facts-based challenges are to be resolved at an evidentiary hearing under section 1172.6, subdivision (d)(3), and respondent never suggests that the People's facts-based challenge to appellant's petition *could not* be resolved at such a hearing.

Nor do the rebuttable presumptions built into the approach advocated by respondent and the decisions in *Patton*, *Pickett*, and *Mares* have any basis in the statute. As this Court recently observed, "a court determination that substantial evidence supports a homicide conviction is not a basis for denying resentencing after an evidentiary hearing. . . . Nor, then, is it a basis for denying a petitioner the opportunity to have an evidentiary hearing in the first place." (*Strong, supra,* 13 Cal.5th at p. 720.) Yet, the superior court's summary denial of appellant's petition was affirmed by the court of appeal because substantial evidence presented at his preliminary hearing appears to support his attempted murder conviction under current law.

The claim that reliance on preliminary hearing evidence does not require any factfinding or weighing of that evidence cannot be reconciled with the fact that appellant's petition was summarily denied because preliminary hearing evidence that he was the sole participant in the shooting was deemed to be the truth. *Patton* and *Pickett* assume that such evidence is truthful unless it is somehow controverted, whereas *Mares* deems such

evidence sufficient grounds for summary denial in the absence of evidence of something else. Either approach, however, requires a review of the preliminary hearing evidence at a stage of the proceedings at which the trial court's assessment of the petition is purely legal and before either party is afforded the opportunity to supplement the record with new or additional evidence.

The California Legislature could in theory have incorporated any of the requirements proposed by respondent and the opinions in *Patton*, *Pickett*, and *Mares* into the statute. But neither in its original form nor as amended by Senate Bill No. 775 does section 1172.6 provide for any of these complex burden-shifting mechanisms.

The better reading of the statute is that evidence-based challenges to a resentencing petition –including those based on the absence of evidence in the record that the petitioner might well need to come up with in order to defend his or her claim for relief– are to be resolved at an evidentiary hearing at which both parties can present new or additional evidence. There is no suggestion in *Patton*, *Pickett*, or *Mares* that the facts-based challenges in those cases could not have been fairly resolved in a relatively straightforward manner at an evidentiary hearing pursuant to section 1172.6, subdivision (d)(3). Indeed, that is the very purpose of such a hearing, a part of the process better suited, in view of the specific and detailed provisions of subdivision (d)(3), to address such factual disputes.

Shoehorning such facts-based challenges into the prima facie showing stage of the proceedings shifts the burden to the

petitioner to come up with something substantial (though exactly what that 'something' is remains unclear) at an earlier stage of the process. The purpose of this burden shifting is to facilitate the 'weeding out' of meritless petitions as soon as possible and to avoid evidentiary hearings in cases that appear to be headed for a foregone conclusion. (ABM at p. 38 ["Patton's view undermines the Legislature's conception of the prima facie inquiry under section 1172.6, subdivision (c), as a device for identifying and dismissing clearly meritless petitions without the additional judicial burden that an evidentiary hearing would entail"].) Such a reading of the statute may be attractive to over-burdened courts and prosecutors, but respondent points to nothing in the statute or the legislative history that shows that these were overriding concerns for the Legislature.

Respondent expresses disbelief that the Legislature could have set the prima facie bar so low for petitioners convicted by plea. (ABM at p. 37 ["Patton's interpretation would effectively exempt most guilty-plea cases from prima facie screening"].) But by focusing on meritless petitions, respondent loses sight of the underlying purpose of the statute, which was to vacate convictions that are based on abrogated theories of murder or attempted murder liability and, along the way, to save California the considerable expense and resources necessary to keep such defendants incarcerated (see *Lewis, supra,* 11 Cal.5th at p. 969 ["there could also be significant cost savings for the Department of Corrections and Rehabilitation"]).

CONCLUSION

The decision of the court of appeal should be reversed.

Respectfully Submitted,

Dated: April 3, 2024

JONATHAN E. DEMSON
Attorney for Appellant

IN THE SUPREME COURT OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,	)	
Plaintiff and Respondent,	)	Supreme Court No. S279670
v.	)	Court of Appeal No. B320352
RAMON PATTON,	)	
Defendant and Appellant.	)	Superior Court No. TA144611

CERTIFICATE OF WORD COUNT

Pursuant to rule 8.360(b)(1) of the California Rules of Court, appellant certifies that his reply brief on the merits filed in connection with the above-captioned matter consists of approximately 4,699 words, as determined by using the 'word count' feature of the Microsoft Word program used in drafting the brief.

Respectfully Submitted,

Dated: April 3, 2024

JONATHAN E. DEMSON
Attorney for Appellant

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. PATTON**
Case Number: **S279670**
Lower Court Case Number: **B320352**

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: **jedlaw@me.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
BRIEF	S279670_RBM_Patton

Service Recipients:

Person Served	Email Address	Type	Date / Time
Amanda Lopez Office of the Attorney General 273602	amanda.lopez@doj.ca.gov	e-Serve	4/3/2024 7:57:04 PM
Jessie Peterson Office of the State Public Defender 340214	jessie.peterson@ospd.ca.gov	e-Serve	4/3/2024 7:57:04 PM
Attorney General, California Department of Justice	docketinglaawt@doj.ca.gov	e-Serve	4/3/2024 7:57:04 PM
Alex Hogue, Deputy District Attorney	ahogue@da.lacounty.gov	e-Serve	4/3/2024 7:57:04 PM
Los Angeles County District Attorney's Office	truefiling@da.lacounty.gov	e-Serve	4/3/2024 7:57:04 PM
David Ross, Deputy Alternate Public Defender	dross@apd.lacounty.gov	e-Serve	4/3/2024 7:57:04 PM
Court of Appeal, Second Appellate District, Division Three (Also served by separate Truefiling submission)	2d1.clerk3@jud.ca.gov	e-Serve	4/3/2024 7:57:04 PM
Hon. Hector E. Gutierrez, Superior Court of California	Compton Courthouse, Dept. Q, 200 West Compton Blvd Compton, CA 90220	Mail	4/3/2024 7:57:04 PM
Ramon Patton #BH6721	Ironwood State Prison, P.O. Box 2199 Blythe, CA 92226	Mail	4/3/2024 7:57:04 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.

4/3/2024

Date

/s/Jonathan Demson

Signature

Demson, Jonathan (167758)

Last Name, First Name (PNum)

Jonathan E. Demson, Attorney at Law

Law Firm