

Law Offices of
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March 22, 2019

Hon. Jorge E. Navarrete
Clerk and Executive Officer
California Supreme Court
350 McAllister Street
San Francisco, CA 94102-4797

Re: *People v. Carl Edward Molano* (S161399)
Focus Issues for Oral Argument of April 4, 2019

Dear Mr. Navarrete:

I am writing to request that you notify the court regarding two focus issues I would like to discuss at the oral argument scheduled for April 4, 2019 in the above referenced matter.

The first issue, which I expect will occupy most, and possibly all, of the allotted time, is the issue raised as Argument I in appellant's opening brief pertaining to the investigating officers' intentional use of trickery and deceit to obtain a Miranda waiver from appellant. The second issue, raised as Argument II in appellant's opening brief, pertains to the admission of three prior convictions to prove propensity under Evidence Code section 1108.

In addition to the foregoing issues, I will of course be prepared to respond to questions regarding any of the remaining appellate issues.

Thank you for your assistance in this matter, and please do not hesitate to contact me if there is any additional information I can provide.

Sincerely,

Wesley A. Van Winkle
Wesley A. Van Winkle
Counsel for appellant,
Carl Edward Molano

CERTIFICATE OF SERVICE BY MAIL AND E-FILING

I declare that I am over the age of eighteen years and am self-employed in the City of Oakland, County of Alameda, State of California. On this date, I served the within **LETTER PERTAINING TO FOCUS ISSUES** on the parties in said cause by placing true and correct copies thereof in envelopes with postage thereon fully prepaid in the United States mail at Freeport, New York, addressed as follows:

Mr. Carl Edward Molano
P.O. Box G-07179
San Quentin State Prison
San Quentin, CA 94974

Also on this date, I served the within **LETTER PERTAINING TO FOCUS ISSUES** on the parties in said cause listed below by e-filing the document using ImageSoft TrueFiling under the account of Wesley A. Van Winkle:

Juliet B. Haley, Esq.
Juliet.Haley@doj.ca.gov

eService California Appellate Project [Aimee Solway, Esq.; Mary Mona, Esq.; Aundre Herron, Esq.; Laura Rogers, Esq.]
filing@capsf.org

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Freeport, New York, on March 22, 2019.

/s/ Carol Friedman
Carol Friedman

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. MOLANO (CARL)**

Case Number: **S161399**

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: **tacitus@pacbell.net**

3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
LETTER	S161399OTHMolano

Service Recipients:

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eService California Appellate Project California Appellate Project 000000	filing@capsf.org	e-Service	3/22/2019 1:03:46 PM
Juliet B. Haley California Dept of Justice, Office of the Attorney General 162823	Juliet.Haley@doj.ca.gov	e-Service	3/22/2019 1:03:46 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.

3/22/2019

Date

/s/Wesley Van Winkle

Signature

Van Winkle, Wesley (129907)

Last Name, First Name (PNum)

Law Offices of Wesley Van Winkle

Law Firm