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February 23, 2026

**CAPITAL CASE**

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

Re: **Notice of Supplemental Authorities**  
*People v. Anthony G. Bankston*, S044739;  
*People v. Marcos Esquivel Barrera*, S103358;  
*People v. Run Peter Chhuon & Samreth Sam Pan*, S105403;  
*People v. Alex Demolle*, S159120

Dear Mr. Navarrete:

This case is scheduled for oral argument on Thursday, March 5, 2026, at 9:00 a.m. Under California Rules of Court, rule 8.254, appellant cites the following additional authorities not contained in the briefs on file. Additional information is provided as needed to identify the relevant propositions in these authorities.

**A. Supplemental Authority Relating to Question 1**

**1. Eighth Amendment requires treating capital defendants as “uniquely individual human beings” and ensuring that a sentencer is able to give effect to mitigating evidence:**

*Woodson v. North Carolina* (1976) 428 U.S. 280, 304-5 (plur. opn. of Stewart, J.)

*Lockett v. Ohio* (1978) 438 U.S. 586, 605 (plur. opn. of Burger, C.J.)

*Eddings v. Oklahoma* (1982) 455 U.S. 104, 110

*Penry v. Lynaugh* (1989) 492 U.S. 302, 319, abrogated by *Atkins v. Virginia* (2002) 536 U.S. 304

*Atkins v. Virginia* (2002) 536 U.S. 304, 321-22

*Roper v. Simmons* (2005) 543 U.S. 551, 573

**2. Findings regarding race discrimination in California's death penalty:**

Com. on Revision of the Pen. Code, Death Penalty Report, Nov. 17, 2021, p. 4-33

**3. Judicial restraint in determining constitutionality of statute, based on facts before the Court:**

*People v. Buza* (2018) 4 Cal.5th 658, 681, 693

*People v. Wilson* (2024) 16 Cal.5th 874, 960 n.21

**B. Supplemental Authority Relating to Questions 2 & 3**

**1. Whether a statute amends an initiative:**

*People v. Cooper* (2002) 27 Cal.4th 38, 41-48 (Proposition 7)

**2. Provisions barring retrial:**

Penal Code section 1387 (setting forth circumstances where retrial is barred depending on the number and nature of prior dismissals)

*People v. Trujeque* (2015) 61 Cal.4th 227, 245-258 (applying Penal Code section 1387 in capital case)

*People v. Hatch* (2000) 22 Cal.4th 260, 270 (Penal Code section 1385)

*Burks v. United States* (1977) 437 U.S. 1 (double jeopardy)

*People v. Batts* (2003) 30 Cal.4th 660, 679 (double jeopardy)

**3. Legislative determinations of death ineligibility:**

Penal Code section 3701 (permanent incompetence to be executed)

*People v. Hajek & Vo* (2014) 58 Cal.4th 1144, 1252 (inviting Legislature to create and define scope of ineligibility for serious mental illness)

*People v. Boyce* (2014) 59 Cal.4th 672, 722 (same)

**4. Repeal of a separate constitutional provision by implication and severability:**

*California Redevelopment Association et al. v. Matosantos* (2011) 53 Cal.4th 231, 253-273.

Thank you for bringing this letter to the Court's attention.

Respectfully submitted,

GALIT LIPA  
State Public Defender

/s/ \_\_\_\_\_  
ALEXANDER POST  
Assistant Chief Counsel

/s/ \_\_\_\_\_  
WILLIAM WHALEY  
Supervising Deputy State Public Defender

/s/ \_\_\_\_\_  
ERIK LEVIN  
Supervising Deputy State Public Defender

Attorneys for Appellants

**DECLARATION OF SERVICE**

Case Name: ***People v. Anthony George Bankston***  
Case Number: **Supreme Court Case No. S044739**  
**Los Angeles County Sup. Ct. No. VA007955**

I, **Alexandra Ruvalcaba**, declare as follows: I am over the age of 18, and not party to this cause. I am employed in the county where the mailing took place. My business address is 1111 Broadway, Suite 1000, Oakland, California 94607. I served a true copy of the following document:

**NOTICE OF SUPPLEMENTAL AUTHORITIES**

by enclosing it in envelopes and placing the envelopes for collection and mailing with the United States Postal Service with postage fully prepaid on the date and at the place shown below.

The envelopes were addressed and mailed on **February 23, 2026**, as follows:

Anthony George Bankston CDCR #D02392 California Men’s Colony P.O. Box 8103 San Luis Obispo, CA 93409-8103	Maria Arvizo-Knight Death Penalty Coordinator Los Angeles County Superior Court 210 W. Temple Street, Room M-3 Los Angeles, CA 90012
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Attorney General – Los Angeles Office Steve Mercer, DAG 300 S. Spring St., Suite 500 Los Angeles, CA 90013 <i>steven.mercer@doj.ca.gov</i>	Joshua A. Klein Supervising Deputy Solicitor General 1515 Clay Street, 20th Floor P.O. Box 70550 Oakland, CA 94612-0550 <i>Joshua.Klein@doj.ca.gov</i>
California Appellate Project 425 California Street, Suite 800 San Francisco, CA 94104 <i>filing@capsf.org</i>	

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Signed on **February 23, 2026**, at San Francisco, CA.

Alexandra  
Ruvalcaba



Digitally signed by  
Alexandra Ruvalcaba  
Date: 2026.02.23  
13:49:29 -08'00'

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ALEXANDRA RUVALCABA

STATE OF CALIFORNIA  
Supreme Court of California

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
Supreme Court of California

Case Name: **PEOPLE v. BANKSTON (ANTHONY  
GEORGE)**

Case Number: **S044739**

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.

2/23/2026

Date

/s/Alexandra Ruvalcaba

Signature

Levin, Erik (208274)

Last Name, First Name (PNum)

Office of the State Public Defender

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Law Firm