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MAY 18 2015

Frank A. McGuire Clerk

Deputy

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NEW BRITAIN, CONNECTICUT 06051

May 18, 2015

Hon. Frank A. McGuire  
Clerk of the Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-4797

Re: *People v. Nguyen*, S076340: Appellant's Focus Letter in Anticipation of Oral Argument on May 28, 2015

Dear Mr. McGuire:

In accordance with the Court's letter of March 10, 2015, I wish to advise the Court that, as counsel for appellant, I expect to focus my argument on the following issues, though not necessarily in the order listed:

- II.1 A. Evidence Is Insufficient to Support the Convictions in Counts 13 and 14 Because the Jury Was Given No Legally Valid Theory That Would Authorize It to Reject Self-Defense. (AOB 123-194, ARB 71-115.)
- B. Assuming Arguendo That Some Legally Valid Theory for Rejecting Self-Defense Was Presented to the Jury, Reversal of Counts 13 and 14 Would Still Be Required Because the Jury Was Given as Many as Five Other Invalid Legal Theories. (AOB 124-125, 194-197, ARB 72, 83-84, 112.)
- VII.1 Ineffective Assistance of Counsel Arising from the Criminal Derelictions of the Defense Investigator, Daniel Watkins. (See AOB 297-320, ARB 194-203.)
- Relevant to Multiple Guilt-Phase Issues: An Appellate Inquiry into the Issue of Prejudice Requires Whole-Record Review But Is Generally Constrained by the Sixth Amendment. (See generally ARB 2-3, 12-19; see also ARB 19-35 [Issue I.1], 50-51 [Issue I.2A], 58-59 & 60 [Issue I.2.B], 119-120 [Issue II.3.A], 122-123 [Issue II.3.C], 135-137 [Issue II.4], 184-187 [Issue V.1], 208 [Issue VIII.1], 217-221 [Issue VIII.2].)

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I recognize that, as stated in the Court's March 10 letter, this listing does not limit my argument nor constrain the Court from addressing at oral argument or in its opinion any issue properly raised in the case.

Sincerely,

Richard C. Neuhoff  
Counsel for Appellant Lam T. Nguyen

PROOF OF SERVICE BY MAIL

I, the undersigned, declare:

I am employed in New Britain, Connecticut. I am an active member of the State Bar of California and not a party to the cause described herein; my business address is 11 Franklin Square, New Britain, CT 06051-2604. On today's date, I served a copy of:

Appellant's Focus Letter

in *People v. Lam T. Nguyen* (No. S076340) by placing a true copy thereof in a sealed envelope with postage thereon fully prepaid, in the United States mail at New Britain, Connecticut, addressed as follows:

Lam Thanh Nguyen  
P.O. Box P-28000  
San Quentin State Prison  
San Quentin, CA 94974

Christopher P. Beesley  
Deputy Attorney General  
110 West A Street, Suite 1100  
San Diego, CA 92101  
(also served by e-mail at  
[Christopher.Beasley@doj.ca.gov](mailto:Christopher.Beasley@doj.ca.gov))

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on May 18, 2015, at New Britain, Connecticut

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Richard C. Neuhoff