

SUPREME COURT COPY

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

OFFICE OF THE STATE PUBLIC DEFENDER

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COPY



December 16, 2013

SUPREME COURT
FILED

DEC 16 2013

Mr. Frank A. McGuire, Clerk
Supreme Court of California
350 McAllister St.
San Francisco, CA 94102-3600

Frank A. McGuire Clerk

Deputy

Re: People v. Dung Dinh Anh Trinh, No. S115284

Dear Mr. McGuire:

Oral argument in the above-referenced case has been calendared for 10:00 a.m. on Wednesday, January 8, 2014. At that hearing, I intend to focus my argument on the following issues (numbered as they appear in appellant's opening brief):

- V. The Trial Court Erred In Denying Appellant's Motion That It Impose a Sentence of Life Without the Possibility of Parole Pursuant to Penal Code Section 190.4, Subdivision (b)
- VI. The Trial Court's Denial of Appellant's Motions to Bar a Penalty Retrial Violated His Rights to Due Process, a Fair Trial, a Reliable Penalty Verdict, Equal Protection, and the Prohibition Against Cruel and Unusual Punishment

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

Sincerely,

A handwritten signature in black ink, appearing to read "Gary D. Garcia", with a long horizontal flourish extending to the right.

GARY D. GARCIA
Senior Deputy State Public Defender

DEATH PENALTY

DECLARATION OF SERVICE

Re: *People v. Dung Dinh Anh Trinh*

No. S115284

I, Neva Wandersee, declare that I am over 18 years of age, and not a party to the within cause; that my business address is 1111 Broadway, 10th Floor, Oakland, California 94607; I served a true copy of the attached:

FOCUS LETTER

on December 16, 2013 of the following, by placing same in an envelope addressed respectively as follows:

Lynne G. McGinnis
Deputy Attorney General
110 West A Street., Suite 1100
San Diego, CA 92186

Dung Dinh Anh Trinh, #T-89877
CSP-SQ
4-EB-113
San Quentin, CA 94974

Each said envelope was then, on December 16, 2013, sealed and deposited in the United States mail at Oakland, California, Alameda the county in which I am employed, with the postage thereon fully prepaid. I declare under penalty of perjury that the foregoing is true and correct.

Signed on December 16, 2013, at Oakland, California.



DECLARANT