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ATTORNEY AT LAW

BARRISTER EXECUTIVE SUITES

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SUPREME COURT COPY

April 12, 2014

VIA: Federal Express

Ms. Mary Jameson  
Automatic Appeals Unit Supervisor  
Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-4797

SUPREME COURT  
FILED

RE: *People v. Alejandro Avila*  
Case No. S135855  
Oral Argument Focus Letter

APR 14 2014

Frank A. McGuire Clerk

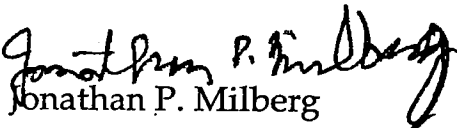
Deputy

Dear Ms. Jameson:

The above referenced capital case has been calendared for oral argument on May 6, 2014, at 1:30 p.m. in San Francisco. Appellant's argument will focus on whether the trial court's refusal to grant a change of venue, despite unprecedented inflammatory publicity and the relentless efforts of radio "shock jocks" Ken and John to convince prospective jurors to lie about their ability to be objective so they could be selected and give Appellant the death penalty, deprived Appellant of any reasonable likelihood of a fair trial and penalty determination. (AOB 21-48; RB 20-32; ARB 2-22; 6 CT 1148-1157, 7 CT 1227-1237 46 CT 12234-12283)

Thank you for your assistance in this matter.

Very truly yours,

  
Jonathan P. Milberg  
Attorney for Appellant Avila

JPM:dm

Encl: POS

DEATH PENALTY

## DECLARATION OF SERVICE BY U.S. MAIL

I, the undersigned, state that I am a citizen of the United States employed in the County of Los Angeles, that I am over the age of 18 years and not a party to this action. My business is 225 South Lake Avenue, 3<sup>rd</sup> Floor, Pasadena, California 91101.

On April 12, 2014, I served the foregoing:

### Oral Argument Focus Letter

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Pasadena, California, addressed as follows:

Alejandro Avila #V-88742  
CSP-San Quentin  
East Block - 5-EB-87  
San Quentin, CA 94974

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Bradley A. Weinreb  
Deputy Attorney General, IV  
Office of the Attorney General  
Department of Justice  
110 West "A" Street, Suite 1100  
San Diego, CA 92101

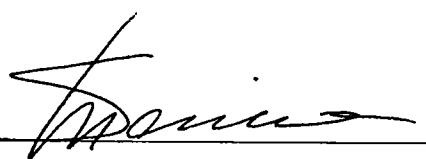
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Scott F. Kauffman  
Staff Attorney  
California Appellate Project  
101 Second Street, 6<sup>th</sup> Floor  
San Francisco, CA 94105

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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, and that this Declaration was executed on, April 12, 2014, at Pasadena, California.

Ref: *People v. Alejandro Avila*,  
CA Supreme Court: S135855

  
Duskie S. Moneie