Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
Electronically RECEIVED on 3/18/2024 11:14:28 AM

Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
Electronically FILED on 3/18/2024 by Celia Wong, Deputy Clerk

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

455 GOLDEN GATE AVENUE, SUITE 11000
SAN FRANCISCO, CA 94102-7004

Public: (415) 510-4400
Telephone: (415) 510-3856
Facsimile: (415) 703-1234
E-Mail: Christen.Somerville@doj.ca.gov

March 18, 2024

Jorge E. Navarrete
Clerk of the Court/Administrator
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

RE: *People v. Giles A. Nadey, Jr.*
Supreme Court of California, Case No. S087560
Alameda Superior Court, Case No. 129807

Dear Mr. Navarrete:

At oral argument for this matter on April 3, 2024, I do not intend to raise any issues on my own. Instead, I will respond to the questions from the Court and the arguments of opposing counsel. In his focus letter dated March 15, 2024, counsel for appellant stated that he intends to argue the following issue:

> Argument I: Error in jury selection pursuant to *Batson v. Kentucky* (1986) 476 U.S. 79 and *People v. Wheeler* (1978) 22 Cal.3d 258.

Sincerely,

/s/ Christen Somerville

CHRISTEN SOMERVILLE
Deputy Attorney General
State Bar No. 299690

For ROB BONTA
Attorney General

CS:

SF2000XS0002
44100157.docx

DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S. MAIL

Case Name: **People v. Giles A. Nadey, Jr.**
No.: **S087560**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collecting and processing electronic and physical correspondence. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On March 18, 2024, I electronically served the attached **Letter Brief** by transmitting a true copy via this Court's TrueFiling system. Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on March 18, 2024, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Christopher Johns
Attorney at Law
Johns & Allyn, APC
cjohns@johnsandallyn.com

California Appellate Project (SF)
filing@capsf.org

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on March 18, 2024, at San Francisco, California.

N. Bui	/s/ N. Bui
Declarant	Signature

SF2000XS0002
44100661.docx

Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
Electronically FILED on 3/18/2024 by Celia Wong, Deputy Clerk

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. NADEY (GILES)**
Case Number: **S087560**
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: **Christen.Somerville@doj.ca.gov**

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 BRIEF	S087560_LB5_People

Service Recipients:

Person Served	Email Address	Type	Date / Time
Attorney Attorney General - San Francisco Office Jeffrey M. Bryant, Deputy Attorney General 69581	jeff.bryant@doj.ca.gov	e-Serve	3/18/2024 11:14:27 AM
Attorney Attorney General - San Francisco Office Sarah J. Farhat	sfagdocketing@doj.ca.gov	e-Serve	3/18/2024 11:14:27 AM
Attorney Attorney General - San Francisco Office Christen Somerville, Deputy Attorney General 299690	christen.somerville@doj.ca.gov	e-Serve	3/18/2024 11:14:27 AM
Christopher Johns Johns & Allyn, APC 90815	cjohns@johnsandallyn.com	e-Serve	3/18/2024 11:14:27 AM
California Appellate Project	filing@capsf.org	e-Serve	3/18/2024 11:14:27 AM

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.

3/18/2024
Date

/s/Nam Bui
Signature

Somerville, Christen (299690)

Last Name, First Name (PNum)

Department of Justice, Office of the Attorney General-San Diego

Law Firm