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**SUPREME COURT COPY**

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January 26, 2015

Supreme Court of California  
350 McAllister Street  
San Francisco, CA 94102-4783

**SUPREME COURT  
FILED**

JAN 29 2015

Re: People v. Kim Kopatz  
Supreme Court No. S097414

Frank A. McGuire Clerk  

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Deputy

Honorable Justices:

In the oral argument scheduled for February 4, 2015, appellate counsel expects to focus on the following issues:

**Argument I in the Appellant's Opening Brief: IT WAS ERROR TO DENY APPELLANT'S MOTION TO SUPPRESS EVIDENCE OF AN INTERVIEW OF APPELLANT BY DETECTIVES, BECAUSE THE INTERVIEW WAS THE PRODUCT OF AN UNLAWFUL SEIZURE AND A *MIRANDA* VIOLATION.**

**Argument II in the Appellant's Opening Brief: ADMITTING THE OUT-OF-COURT STATEMENTS OF LES BALLOU TO BOLSTER HIS PRELIMINARY HEARING TESTIMONY PLACING APPELLANT NEAR THE CRIME SCENE ON THE DAY OF THE HOMICIDES WAS PREJUDICIAL ERROR THAT DENIED APPELLANT'S EIGHTH AND FOURTEENTH AMENDMENT RIGHTS TO A RELIABLE DETERMINATION OF GUILT AND PENALTY.**

**Argument III in the Appellant's Opening Brief: ADMITTING EVIDENCE OF THE OUT-OF-COURT STATEMENT OF JENNIFER FLEMING WAS *CRAWFORD* ERROR THAT DENIED APPELLANT'S RIGHT OF CONFRONTATION UNDER THE SIXTH AMENDMENT.**

In discussing Argument III, appellate counsel may call the Court's attention to the

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following authorities not cited in appellant's briefs: *People v. Bryant* (2014) 60 Cal.4th 335, 414; *People v. Rodriguez* (2014) 58 Cal.4th 587, 633.

Very truly yours,

DAVID P. LAMPKIN

DPL:hc

## PROOF OF SERVICE

I, DAVID P. LAMPKIN, declare that I am over 18 years of age, and not a party to the within cause; my business address is P.O. Box 2541, Camarillo, California 93011-2541; I served the attached ORAL ARGUMENT FOCUS LETTER on the following, by placing same in an envelope addressed as follows:

Mary L. Jameson  
Automatic Appeals Unit Deputy Clerk  
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San Francisco, California 94102

Andrew Mestman, Esq.  
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P.O. Box 85266  
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Kim Kopatz #T-11498  
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California Appellate Project  
Attn: Scott Kauffman, Esq.  
101 Second Street  
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Each envelope was then, on January 26, 2015, sealed and deposited in the United States mail in the City of Camarillo, County of Ventura, State of California, 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.

Executed on January 26, 2015.

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DAVID P. LAMPKIN