

OFFICE OF THE PUBLIC DEFENDER



COUNTY OF VENTURA
TODD W. HOWETH
PUBLIC DEFENDER
Appellate Department

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Chief Investigator

November 22, 2019

Clerk of the Court
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102

SUPREME COURT
FILED

NOV 25 2019

Re: *People v. Jimenez* – S249397

Jorge Navarrete Clerk

Dear Clerk of the Court:

Deputy

I write this letter to submit new authorities not contained in the papers and briefs already filed. (Cal. Rules of Court, rule 8.254.) The new authorities are:

- (1) *In re E.P.* (2019) 35 Cal.App.5th 792 from the Fourth District. Respondent contends that this case is relevant and helpful in interpreting Penal Code section 459.5, an issue central to this appeal;
- (2) *People v. Valenzuela* (2019) 7 Cal.5th 415. This opinion is relevant to the intent and purpose of Proposition 47; and
- (3) *People v. Liu* (Cal., Nov. 21, 2019, No. S248130, __ Cal.5th __.) This opinion sheds light on the interplay between Proposition 47 and the misuse of access card information.

Thank you for considering these new authorities for oral Argument on December 3, 2019.

Sincerely,

William Quest
Counsel for respondent



DECLARATION OF SERVICE

Case Name: **The People of the State of California vs. Miguel Jimenez,
Defendant/Respondent.**

Case No. **S249397 (from Superior Court 2016041618/B283858)**

On November 22, 2019, I, Jeane Renick, declare:

I am over the age of 18 years and not a party to the within action or proceeding. I am employed in the Office of the Ventura County Public Defender at 800 South Victoria Avenue, Ventura, California 93009.


On this date, I *electronically served, as indicated*, the following named person(s) indicated herein, with a full, true and correct copy of the attached **Letter to CASC Clerk citing new authorities**:

Gregory Totten, District Attorney
AppellateDA@ventura.org
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admin-vsc@ventura.courts.ca.gov
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I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on the above date at San Buenaventura, California.

TODD W. HOWETH, Public Defender

By



Jeane Renick
Legal Mgmt. Asst. III
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