Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
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Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
Electronically FILED on 3/20/2024 by Celia Wong, Deputy Clerk

ROB BONTA
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DEPARTMENT OF JUSTICE

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March 20, 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:

The People respectfully invite the Court's attention to the following authorities, published after the submission of respondent's brief.

Claim I

- *People v. McDaniel* (2021) 12 Cal.5th 97, 122-128.
- *People v. Baker* (2021) 10 Cal.5th 1044, 1084-1085.
- *People v. Miles* (2020) 9 Cal.5th 513, 531-562.
- *People v. Krebs* (2019) 8 Cal.5th 265, 289-294.
- *People v. Armstrong* (2019) 6 Cal.5th 735, 773, citing *Davis v. Ayala* (2015) 576 U.S. 257, 273.
- *People v. Hardy* (2018) 5 Cal.5th 56, 76-86.
- *People v. Smith* (2018) 4 Cal.5th 1134, 1146-1162.
- *People v. Winbush* (2017) 5 Cal.5th 402, 443.
- *People v. O'Malley* (2016) 62 Cal.4th 944, 971-983.

Claim III

- *People v. Sanchez* (2016) 63 Cal.4th 665, 677.
- *People v. Perez* (2018) 4 Cal.5th 421, 454-457.

Sincerely,

/s/ *Christen Somerville*

CHRISTEN SOMERVILLE
Deputy Attorney General
State Bar No. 299690

For ROB BONTA
Attorney General

CS:

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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 20, 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 20, 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 20, 2024, at San Francisco, California.

N. Bui	/s/ N. Bui
Declarant	Signature

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Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
Electronically FILED on 3/20/2024 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**

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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.

3/20/2024
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