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October 4, 2021

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

Re: *People v. Johnson*  
Supreme Court of the State of California, Case No. S070250

Dear Mr. Navarrete:

Pursuant to this Court's Notice to Counsel Appearing for Oral Argument, counsel for Appellant, Michael Raymond Johnson, provides the following additional authorities that were decided after Appellant's Reply Brief was filed and are not contained in any of the briefs. The cases are relevant to Appellant's Claim IV, which is a primary focus of oral argument (AOB at 133-183). The cases are *People v. Henderson* (2020) 9 Cal.5th 1013; *People v. Krebs* (2019) 8 Cal.5th 265; *People v. Caro* (2019) 7 Cal.5th 463.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Anthony J. Dain'.

Anthony J. Dain  
Attorney

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

Case Name: *People v. Michael Raymond Johnson*

No.: S070250

I declare:

I am employed by Procopio, Cory, Hargreaves & Savitch, LLP, 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 Procopio, Cory, Hargreaves & Savitch, LLP 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 October 4, 2021, I electronically served the attached **NEW AUTHORITY LETTER** by transmitting a true copy via this Court's TrueFiling system to:

Wyatt E. Bloomfield A. Scott Hayward Deputy Attorney General Attorneys for Respondent Wyatt.Bloomfield@doj.ca.gov scott.hayward@doj.ca.gov docketinglaawt@doj.ca.gov	Habeas Corpus Resource Center Michael J. Hersek, Executive Director mhersek@hcrc.ca.gov
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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 October 4, 2021, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at 525 B Street, Ste. 2200, San Diego, CA 92101, addressed as follows:

County of Ventura, Main Courthouse Superior Court of California Ventura Hall of Justice P.O. Box 6489 Ventura, CA 93006-6489	CALIFORNIA APPELLATE PROJECT 345 California Street, Suite 1400 San Francisco, California 94104
Office of the Public Defender County of Ventura 800 S. Victoria Ave. Ventura, CA 93009	Michael Raymond Johnson, K-96000 San Quentin State Prison P. O. Box K-96000 San Quentin, CA 94974

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 October 4, 2021, at San Diego, California.

  
\_\_\_\_\_

**STATE OF CALIFORNIA**  
Supreme Court of California

**PROOF OF SERVICE**

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **PEOPLE v. JOHNSON (MICHAEL  
RAYMOND)**

Case Number: **S070250**

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: **dain3003@yahoo.com**
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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.

10/4/2021

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Date

/s/Martha Zarate

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Signature

Dain, Anthony (98947)

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Last Name, First Name (PNum)

anthony dain

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Law Firm