

COPY

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DEPARTMENT OF JUSTICE



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SUPREME COURT COPY

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May 28, 2015

Frank A. McGuire
Court Administrator and Clerk of the Court
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4783

SUPREME COURT
FILED

MAY 29 2015

Frank A. McGuire Clerk

Deputy

RE: *People v. Williams*, Case No. S073205
Supplemental Authority Prior to Oral Argument

Dear Mr. McGuire:

Please inform the Supreme Court that in consideration with oral argument in this matter, counsel for the People note the following authority that was not available at time briefing was completed in this matter:

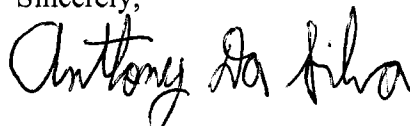
Arguments II and III: *People v. Russell* (2010) 50 Cal.4th 1228, 1251 [inquiry into juror misconduct should be as limited in scope as possible to avoid intruding unnecessarily upon the sanctity of the jury's deliberations, and should focus on conduct of jurors, rather than content of deliberations]; *People v. Lomax* (2010) 49 Cal.4th 530, 592 [same].

Arguments II and III: *People v. Debose* (2014) 59 Cal.4th 177, 200-201 [review of assessment of court's inquiry into juror misconduct is deferential because trial judge in best position to assess juror's state of mind during questioning]. *People v. Clark* (2011) 52 Cal.4th 856, 971 [same].

DEATH PENALTY

Arguments VI and VII: *People v. Chiu* (2014) 59 Cal.4th 155, 166 [holding limiting natural and probable consequences doctrine to second-degree murder does not affect or limit an aider and abettor's liability for first degree felony murder under Penal Code section 189].

Sincerely,



ANTHONY DA SILVA
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

ADS:

cc: R. Clayton Seaman, Jr.
P.O. Box 12008
Prescott, AZ 86304

SD1998XS0009

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **People v. Jack Emmit Williams**
No.: **S073205**

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 collection and processing of correspondence for mailing with the United States Postal Service. 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.

On May 28, 2015, I served the attached **SUPPLEMENTAL AUTHORITIES** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 600 West Broadway, Suite 1800, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

R. Clayton Seaman, Jr.
Attorney at Law
P.O. Box 12008
Prescott, AZ 86304

(Counsel for Jack Emmit Williams)

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 May 28, 2015, at San Diego, California.

C. Pasquali

Declarant

C. Pasquali

Signature