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November 6, 2023

Hon. Jorge E. Navarrete
Clerk, California Supreme Court
350 McAllister Street
San Francisco, CA 94102

Re: Supplemental Authorities letter - *People v. Helzer* (S132256)

Dear Mr. Navarrete:

Appellant respectfully invites the Court's attention to the following authorities published after Appellant's Reply Brief was filed.

For Argument One:

State v. Chute (Minn. Supr. 2018) 908 N.W.2d 578, holding that *Jardines v. Florida* (2013) 569 U.S. 1, 9, requires suppression of evidence seen in the open backyard of a home where an officer's objectively-determinable purpose in entering the protected space was to conduct a warrantless search, quoting the *Jardines* rule that a license "'is limited not only to a particular area but also to a specific purpose.'"

United States v. Nasher-Alneam (S.D.W.Va. 2019) 399 F. Supp. 3d 579, 593-594, Fourth Amendment requires suppression of evidence of fraud where police failed to seek a new warrant after detecting fraud evidence while searching a seized computer under a warrant for evidence of controlled substance crimes, noting that "the government was 'not in a rapidly unfolding situation or searching a location where evidence was likely to move or change, [and] there was no downside to halting the search to obtain a second warrant.'"

People v. Hughes (Mich. Supr. 2020) 506 Mich. 512, 517: Citing *Nasher-Alneam*, suppression of armed robbery evidence required where "the officer's review of defendant's cell-phone data for incriminating evidence relating to an armed robbery was not reasonably directed at obtaining evidence regarding drug trafficking--the criminal activity alleged in the warrant--and therefore the search for that evidence was outside the purview of the warrant and thus violative of the Fourth Amendment."

For Argument Three (Cash error):

People v. Armstrong (2019) 6 Cal.5th 463, 756, confirming that trial court discretion in the conduct of voir dire is subject to, and limited by, the terms this Court's decisions implementing federal constitutional law.

For Arguments Nine and Ten:

Bucklew v. Precythe (2019) ___ U.S. ___ [139 S.Ct. 1112, 1124], holding that the Eighth Amendment was written to bar "long disused (unusual) forms of punishment that intensified the sentence of death with a (cruel) "superadd[ition]" of "terror, pain, or disgrace." [Citation]."

Multiple decades of delay on direct appeal and the persistent lack of funding for habeas counsel may well be adding to the terror, pain and disgrace suffered by the condemned defendants and their families, including in particular the defendants' children, and bolster the defendants' Eighth Amendment and federal due process claims.

Respectfully submitted,

_____/S/_____
Jeanne Keevan-Lynch

PROOF OF SERVICE

RE: People v. Glen Taylor Helzer, California Supreme Court No.132256

I, Jeanne Keevan-Lynch, declare under penalty of perjury as follows: I am over the age of 18 years, and I am not a party to the within action. My business address is P.O. Box 2433, Mendocino, California, 95460. On the date indicated below, I served a copy of the attached NEW AUTHORITIES LETTER, by placing same in a sealed envelope addressed as indicated below, and causing same to be deposited in the mail with postage thereon fully prepaid.

GLENN TAYLOR HELZER
CDCR No. V72020
RJ Donovan Correctional Facility
480 Alta Road
San Diego CA 92179

I also served a copy of this letter on the State Attorney General, San Francisco Office, the California Appellate Project in San Francisco and the District Attorney (appellate.pleadings@contracostada.org.)

Executed under penalty of perjury under the laws of the state of California and the United States of America on November 6, 2023.

_____/S/_____
JEANNE KEEVAN-LYNCH

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. HELZER (GLEN TAYLOR)**

Case Number: **S132256**

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: **JKL@MYWORD.WS**
3. I served by email a copy of the following document(s) indicated below:

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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.

11/6/2023

Date

/s/JEANNE KEEVAN-LYNCH

Signature

KEEVAN-LYNCH, JEANNE (101710)

Last Name, First Name (PNum)

LAW OFFICES OF JEANNE KEEVAN-LYNCH

Law Firm