

# SUPREME COURT COPY

LAW OFFICE OF CLIFF GARDNER  
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SUPREME COURT  
**FILED**

May 16, 2016

MAY 19 2016

Mr. Frank McGuire  
California Supreme Court  
Office of the Clerk  
350 McAllister Street  
San Francisco, CA 94102

Frank A. McGuire Clerk  

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Deputy

Re: *People v. Grimes*, S076339

Dear Mr. McGuire:

I represent appellant Gary Grimes in the above captioned case. The case has been calendered for argument on May 26, 2016.

At oral argument I plan to focus on the trial court's exclusion of evidence that John Morris admitted acting alone in committing the murder. This issue was presented as Argument IV in Appellant's Opening Brief, Argument II-A in Respondent's Brief and Argument III in Appellant's Reply Brief. Aspects of this issue have also been addressed by both parties in their simultaneous court-ordered supplemental letter briefs of July 16, 2014, my reply brief of July 23, 2014, the state's reply brief of July 24, 2014, the July 23, 2014 amicus brief of the state public defender, the state's Supplemental Brief of June 15, 2015 and Appellant's Reply to Respondent's Supplemental Brief filed on June 26, 2015.

If you have any questions, or need any additional information, please feel free to contact me.

Sincerely,



Cliff Gardner

DEATH PENALTY

CERTIFICATE OF SERVICE

I, the undersigned, declare as follows:

I am a citizen of the United States, over the age of 18 years and not a party to the within action. My business address is 1448 San Pablo Avenue, Berkeley, California 94702. I am not a party to this action.

On May 16, 2016, I served the within

**LETTER DATED MAY 16, 2016, *PEOPLE V. GRIMES*, S076339**

upon the parties named below by depositing a true copy in a United States mailbox in Berkeley, California, in a sealed envelope, postage prepaid, and addressed as follows:

Mr. Gary Grimes  
CDC: P-27200  
San Quentin State Prison  
San Quentin, California 94974

California Appellate Project  
101 Second Street  
Suite 600  
San Francisco, California 94105

Office of the Attorney General  
P.O. Box 944255  
Sacramento, California 94244-2550

I declare under penalty of perjury that the foregoing is true. Executed on May 16, 2016, in Berkeley, California.

  
\_\_\_\_\_  
Declarant