

SUPREME COURT COPY

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555
Telephone: (916) 323-8044
Facsimile: (916) 324-2960
E-Mail: Stephanie.Mitchell@doj.ca.gov

May 20, 2014

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

**SUPREME COURT
FILED**

MAY 21 2014

Frank A. McGuire Clerk

Deputy

RE: *People v. Gary Lee Grimes*, Case No. S076339
Respondent's List of Additional Authorities

Dear Mr. McGuire:

This case is scheduled for oral argument on May 28, 2014. Appellant has identified Argument I of his Opening Brief and Reply Brief as a focus issue. I intend to cite these additional authorities not contained in the Respondent's Brief in response to the argument raised by appellant in his Reply. These authorities are: *People v. Schmeck* (2005) 37 Cal.4th 240, 262-263; *Kahn v. Wilson* (1898) 120 Cal. 643, 644; *People v. Newman* (2007) 155 Cal.App.4th 1000, 1005; and *People v. King* (1991) 1 Cal.App.4th 288, 297, fn. 12.

Sincerely,

Handwritten signature of Stephanie A. Mitchell in black ink.

STEPHANIE A. MITCHELL
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

SAM:

SA1999XS0001
31992056.doc

DEATH PENALTY

COPY

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: ***People v. Grimes***
No.: **S076339**

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 20, 2014, I served the attached **List of Additional 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 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

Cliff Gardner, Attorney at Law
1448 San Pablo Avenue
Berkeley, CA 94702
(Representing appellant Grimes - 2 copies)

California Appellate Project
101 Second Street, Suite 600
San Francisco, CA 94105-3672

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 20, 2014, at Sacramento, California.

Declarant