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February 24, 2025

CAPITAL CASE

Jorge E. Navarrete
Clerk and Executive Officer
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

Re: *People v. Joseph Anthony Barrett*
Supreme Court Case No. S124131
Notice of Supplemental Authorities

Dear Mr. Navarrete:

The Court has calendared this case for oral argument on Wednesday, March 5, 2025, at 9:00 a.m. Mr. Barrett wishes to bring to the Court's attention the following additional authorities not cited in the briefs on file:

People v. Gutierrez (2017) 2 Cal.5th 1150, 1170 [prosecutor's "swift termination of individual voir dire" of juror in question "raises a question as to how interested he was in meaningfully examining" her views] [AOB, Argument II]

People v. Hardy (2018) 5 Cal.5th 56, 81-82 [that juror did not want to sit on the jury was "a rather weak reason" for a peremptory challenge; "Many prospective jurors do not want to sit on a jury in a death penalty case, including some in this case the prosecutor did not challenge. Standing alone, this reason might present a situation where the 'question of whether a neutral explanation is genuine and made in good faith becomes more pressing'" (citing *Gutierrez*)] [AOB, Argument II]

Andrew v. White (2025) 145 S.Ct. 75, 78 [when evidence is so unduly prejudicial that it renders trial fundamentally unfair, due process provides a mechanism for relief] [AOB, Arguments IV.E., V.C.]

People v. Hendrix (2022) 13 Cal.5th 933, 944-949 [explaining harmless error analysis under *People v. Watson* (1956) 46 Cal.2d 818] [AOB, Arguments IV.G., V.D., VII.F., VIII.E., IX.D., X.J.]

People v. Young (2019) 7 Cal.5th 905, 949-950 [court erroneously permitted rebuttal evidence about defendant's racist beliefs for the sake of highlighting their offensiveness, rather than what they showed about defendant's propensity for violence or any other matter relevant to the jury's penalty judgment] [AOB, Argument XV]

Thank you for bringing this letter to the Court's attention.

/S/

Catherine White
Deputy State Public Defender
Oakland Office

DECLARATION OF SERVICE

Case Name: ***People v. Joseph Barrett***
Case Number: **Supreme Court Case No. S124131**
Imperial County Superior
Court No. CF5733

I, **Glenice Fuller**, declare as follows: I am over the age of 18, and not party to this cause. My business address is 1111 Broadway, Suite 1000, Oakland, California 94607. I served a true copy of the following document:

ADDITIONAL AUTHORITIES

by enclosing it in envelopes and placing the envelopes for collection and mailing with the United States Postal Service with postage fully prepaid on the date and at the place shown below following our ordinary business practices.

The envelopes were addressed and mailed on **February 24, 2025**, as follows:

Joseph Barrett CDCR# D-72002 D-8154-L CMC-SP P.O. Box 8101 San Luis Obispo, CA 93409	Imperial County Superior Court 939 West Main Street El Centro, CA 92243
Imperial County District Attorney's Office 940 West Main Street, Suite 102 El Centro, CA 92243	

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The aforementioned document(s) were served electronically (via TrueFiling) to the individuals listed below on **February 24, 2025**:

Attorney General – San Diego Office Anne Spitzberg, Deputy Attorney General 600 West Broadway, Suite 1800 San Diego, CA 92101 <i>Anne.Spitzberg@doj.ca.gov</i> <i>Sdag.docketing@doj.ca.gov</i>	California Appellate Project 425 California Street, Suite 800 San Francisco, CA 94104 <i>filing@capsf.org</i>
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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. Signed on **February 24, 2025**, at Solano County, California.

Glenice
Fuller

Digitally signed by
Glenice Fuller
Date: 2025.02.24
13:03:07 -08'00'

GLENICE FULLER

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v. BARRETT (JOSEPH ANTHONY)**

Case Number: **S124131**

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: **catherine.white@ospd.ca.gov**
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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.

2/24/2025

Date

/s/Glenice Fuller

Signature

White, Catherine (193690)

Last Name, First Name (PNum)

Office of the State Public Defender

Law Firm