

Darryl Dunsen
AD6237 C3A-124
Box 32200
Stockton Ca 95213
Pro Se

SUPREME COURT OF THE UNITED STATES

Darryl Dunsen
Petitioner

Case # 17-7673

v

California
Respondents

Supplemental Brief
in Support of writ
of Certiorari

The Courts of California are Depriving
Petitioner of his Constitutional rights to
Appellate review or what is otherwise a
Meritorious case Concerning Newly Discovered
evidence and are Determined To keep
petitioner illegally imprisoned at my cost
IN which petitioner will be seeking also
a writ of Certiorari.

3/12/18

DJD

1081

Darryl Dunsane
NO6257 CSA-124
Box 32200
Stockton CA 95213

SUPREME COURT OF THE UNITED STATES

Darryl Dunsane
Petitioner

Case # 17 - 7673

Califarnae
Respondents

Appendix in Support
of Supplemental Brief

writ of Error Coram Nobis

3/12/18

DJD

1 of 1

Daryl Dunsuare
AD6237 3 A-124
Box 32200
Stockton Ca 95213

COURT OF APPEALS STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT, DIVISION ONE
Daryl Dunsuare Case# D023504
Petitioner, Defendant

v
People of The
State of California
Respondents Plaintiffs

Petition for Rehearing
on Verile of writ of
Error Corrum Nobis

The Court has declared That My
Substantial Rights are not effected. however
Summarily Dismissing The appeal on That
basis is not Cause for such action People
v Shipman (1965) 62 Crd 226 42 CR7

1 The petition Alleges facts with sufficient
2 Particularity to show there are substantial
3 legal and factual issues on which the
4 Availability of the writ turns and the Court
5 must set the matter for a hearing and
6 Appoint Counsel People v Shipman (1965) 62
7 Crd 226, 232, 42 Cr 1

8 The Court has never Declared Petitioner
9 has failed to state a prima facie case
10 for Relief People v Totari (2002) 28 Crd
11 876 885 NY 123 Crd 76 or that these
12 issues could have been raised in other proceedings
13 People v Vartanis (1962) 200 Crd 156 159 19
14 Cr 54

15
16 I feel it is an abuse of Discretion not
17 to set a hearing and is contrary to the
18 facts and an abuse of Discretion by this
19 Court on other matters presented such
20 as the willfull Refusal to enforce your
21 own Remand for my Re sentencing
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3/12/18

DJD -

2082

COURT OF APPEAL - STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION ONE

Court of Appeal
Fourth Appellate District

FILED ELECTRONICALLY

03/01/2018

Kevin J. Lane, Clerk
By: Scott Busskohl

THE PEOPLE,
Plaintiff and Respondent,

v.

DARRYL DUNSMORE,
Defendant and Appellant.

D073504

San Diego County No. SCS215653

THE COURT:

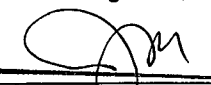
The court has received Appellate Defender Inc.'s February 23, 2018 letter inquiring whether it will authorize the appointment of counsel for Darryl Dunsmore in this case. Dunsmore seeks to appeal from an order of the superior court denying his petition for a writ of coram nobis.

Because the petition raises similar challenges to those raised, unsuccessfully, by Dunsmore in prior proceedings in this court, the court declines ADI's invitation to treat the petition as one for a writ of coram vobis and also declines to authorize the appointment of counsel. The appeal is DISMISSED as not affecting Dunsmore's substantial rights. (Pen. Code, § 1237, subd. (b).)

MCCONNELL

Presiding Justice

cc: All Parties

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO ☒ CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., RM 218 SAN DIEGO, CA 92101 ☐ NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081		FOR COURT USE ONLY FILED Clerk of the Superior Court FEB 09 2018 By: 
THE PEOPLE, PLAINTIFF AND RESPONDENT.		SUPERIOR COURT CASE NUMBER SCS215653 DA CASE NUMBER
DARRYL DUNSMORE, DEFENDANT AND APPELLANT.		
NOTICE OF FILING		

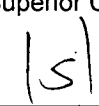
A ☐ Abandonment of Appeal ☒ Notice of Appeal ☐ Notice of Cross-Appeal ☐ Amended Notice of Appeal from the
 DECEMBER 15, 2017 ORDER DENYING PETITION FOR WRIT OF ERROR CORAM NOBIS

was filed in this office on 02/06/18 by:

DEFENDANT AND APPELLANT IN PROPIA PERSONA

Clerk of the Superior Court

Date: 02/09/18

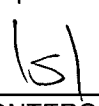
by  _____, Deputy
 J. MONTERO

CERTIFICATE OF SERVICE

I certify that I am not a party to the above-entitled cause, that I placed a copy of this form in a sealed envelope addressed to the parties shown with postage prepaid, and deposited it in the United States mail at ☒ San Diego ☐ Vista, California.

Clerk of the Superior Court

Date: 02/09/18

by  _____, Deputy
 J. MONTERO

To:

Darryl Dunsmore #AD6237
 Facility D; Bldg 3B; Cell 112
 P.O. BOX 32200
 STOCKTON, CA 95213

Office of the Attorney General
 One America Plaza
 600 W. Broadway, Suite 1800
 San Diego, CA 92101

Office of the District Attorney
 Appellate Division
 330 West Broadway, Suite 800
 San Diego, CA 92101

FILED
San Diego Superior Court

Clerk of the Superior Court
By S. Anderson

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

IN THE MATTER OF THE APPLICATION OF:

DARRYL DUNSMORE,
Petitioner.

SCS 215653

ORDER DENYING PETITION FOR
WRIT OF ERROR CORAM NOBIS

AFTER REVIEWING THE PETITION FOR WRIT OF ERROR CORAM NOBIS AND THE COURT FILE IN THE ABOVE REFERENCED MATTER, THE COURT FINDS:

On March 10, 2010, petitioner was convicted by a jury of: one count of attempted voluntary manslaughter (Pen. Code¹ §§ 664/192(a)), with allegations that he personally inflicted great bodily injury and used a deadly or dangerous weapon, a car, (§§ 12022.7(a), 12022(b)(1)); and, two counts of assault with a deadly weapon or force likely to cause great bodily injury (§ 245(a)(1)), with an allegation on one of the counts that he personally inflicted great bodily injury. Petitioner was sentenced to a total term of 22 years in state prison.

On November 28, 2017, petitioner filed a petition for writ of error coram nobis

¹ Unspecified statutory references are to the Penal Code.

FILED
San Diego Superior Court

DEC 15 2017

Clerk of the Superior Court
By S. Anderson

**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO**

IN THE MATTER OF THE APPLICATION OF:)

DARRYL DUNSMORE,
Petitioner.

) SCS 215653

) ORDER DENYING PETITION FOR
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On November 28, 2017, petitioner filed a petition for writ of error coram nobis

¹ Unspecified statutory references are to the Penal Code.

1 with this court requesting that his conviction be vacated because new information
2 regarding faulty brakes and steering on his car became available in 2014 and would
3 have prevented judgment if presented to the court at the time of his conviction.
4 Petitioner also requests substitution of counsel. The petition and request for substitute
5 counsel are denied.

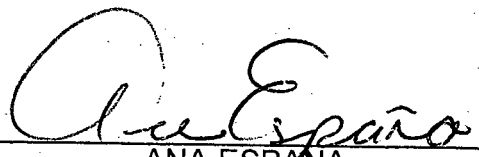
6 Petitioner does not have any matters currently pending in this court and is thus
7 not represented by counsel on any matters before this court. Accordingly, the request
8 for substitution of counsel is denied as moot with regard to any proceedings filed in this
9 court.

10 The petition for writ of error coram nobis is denied because petitioner currently
11 has a petition for writ of habeas corpus challenging his underlying conviction pending
12 before the California Supreme Court (Case No. S245664.) This court does not have the
13 power to interfere with the appellate jurisdiction of a higher court in matters pending
14 before it. (*People v. Mayfield* (1993) 5 Cal. 4th 220, 225; *France v. Superior Court*
15 (1927) 201 Cal. 122, 131-32; *In re Carpenter* (1995) 9 Cal.4th 634, 646, as modified on
16 denial of reh'g (May 17, 1995).) Because a ruling on this petition could conflict with a
17 decision on the petition for writ of habeas corpus pending in the California Supreme
18 Court, this court will not rule on the merits of petition for writ of error coram nobis. The
19 petition for writ of error coram nobis is summarily denied.

20 A copy of this Order shall be served upon petitioner.

21 IT IS SO ORDERED.

22 DATE: 12/14/2017

23 
24 ANA ESPANA

25 JUDGE OF THE SUPERIOR COURT
26
27
28

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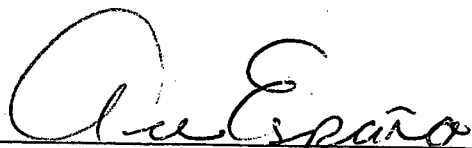
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21 IT IS SO ORDERED.

22 DATE: 12/14/2017

23 
24 ANA ESPAÑA

25 JUDGE OF THE SUPERIOR COURT
26
27
28

Darryl Dunsuare
AD6237 D3B-112
Box 32200
Stockton Ca 95213

THE SUPERIOR COURT OF THE STATE
OF CALIFORNIA COUNTY OF SAN DIEGO

People of The State Case# 215653
of California
Plaintiff/Respondent

✓
Darryl Dunsuare
Defendant/Appellant

Petition for Rehearing

Pursuant To Rule 8.268 of The Cal Rules
of The Court Appellant Darryl Dunsuare
Petition For Rehearing Following The
Unpublished decision of This Court Filed
on Dec 15 2017 by The honorable Ana
Espino

Argument

① This Court Summarily Denied petition on The Basis That it presented The same Arguments as a pending writ of Habeas in The Supreme Court citing Case # S245664.

This however is a Misstatement of facts as The petition for Habeas strictly entails petitioner Sentence and Credit whereas The petition for Error Coram Nobis attacks petitioner Conviction. Two Separate and Distinct issues!

② This Court has erred by Summarily Dismissing The petition which can only be Desmissed in such a manner by Declaring The petition has No Merit or a prima facie case people v Shipman (1965) 62 C2d 226 42 CR1

Neither of which The Court Stated To be The Case

conclusion

For the reasons stated, this petition
should be granted

12/26/17

Respectfully Submitted,

Darryl Dunsen
DJD

3083

COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

DARRYL LEE DUNSMORE,

Defendant and Appellant.

D073056

(San Diego County
Super. Ct. No. SCS215653)

COURT of Appeal Fourth District
FILED
NOV 07 2017
Kevin J. Lane, Clerk
DEPUTY

THE COURT:

The petition for error *coram vobis* has been read and considered by Justices Benke, Huffman and Nares. The petition is denied.

HUFFMAN, Acting P. J.

Copies to: All parties

Court of Appeal
FOURTH APPELLATE DISTRICT
Division One
750 B Street, Suite 300
San Diego, CA 92101
www.courts.ca.gov
(619) 744-0760

November 3, 2017

RE: THE PEOPLE,
Plaintiff and Respondent,
v.
DARRYL DUNSMORE,
Defendant and Appellant.
D073056
San Diego County No. SCS215653

Dear Petitioner:

Your petition for writ of Coram Vobis has been received and filed on November 3, 2017, and assigned case number D073056. It is currently pending before the court. You will be notified of the court's decision once it has been rendered.

Please notify the court should you have a change of address.

Sincerely,

KEVIN J. LANE, CLERK

BY: J. Rodriguez

1 Darryl Dunsmore
2 AD6237 D38-112
3 Box 32200
4 Stockton Ca 95213
5
6
7

8 THE SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN DIEGO

10 People of The
11 State of California
12 Plaintiff / Respondents

Case# _____

13
14 Darryl Dunsmore
15 Defendant / Petitioner
16

17 Petition For writ
18 of Error Coram Nobis

19 Petition for writ of Error Coram Nobis
20 to Vacate a Judgment Rendered against plaintiff
21 and entered on or about 6/3/10 in The Superior
22 Court of The State of California for The
23 County of San Diego Superior Court Case#
24 215653
25
26
27
28

1 Darryl Dunsmore
2 AD6237 D3B-112
3 Box 32200
4 Stockton Ca 95213
5
6
7

8 SUPREME COURT OF CALIFORNIA

9 People of The
10 State of California
11 Plaintiff/Respondents {

Case# D073056

12 v
13 Darryl Dunsmore
14 Defendant/Petitioner

15 Petition for Writ
16 of Error Coram Vobis

17
18 Petition for writ of error Coram Vobis to
19 to vacate a Judgment Render against petitioner
20 and entered on or about 6/3/10 in The Superior
21 Court of The State of California for The County
22 of San Diego Superior Court Case # 215653
23
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1 Darryl Dunsuare
2 AD6237 03B-112
3 Box 32200
4 Stockton Ca 95213
5
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7

Court of Appeal Fourth District

FILED

NOV 03 2017

Kevin J. Lane, Clerk

DEPUTY

8 CALIFORNIA COURT OF APPEALS
9 FOURTH DISTRICT, DIVISION ONE

10 People of The
11 State of California
12 Plaintiff and Respondent

Case # D072594 D073056

13 v

14 Darryl Dunsuare
15 Defendant and petitioner
16

17 Petition for writ of
18 Error Coram Vobis
19
20

21 Petition for writ of Error Coram Vobis
22 To vacate a Judgment rendered against petitioner
23 and entered on or about 6/3/10 in The Superior
24 Court of The State of California for The
25 County of San Diego Superior Court Case # 215653
26
27
28

Petitioner Respectfully represents That

① Petitioner was arraigned on Dec 6 2007 alleging That I violated P.C. 245 (a)(1) it was later amended to include 664/187(a) on Mar 26 2009 citing each and every Allegation Serious 1192.7(c)(23) of The Penal Code of The State of California did unlawfully attempt to Murder Joseph Canacho a human being in violation of P.C. 187(a) and 664 and it is further alleged That The above offense was willfull deliberate and premeditated with in The meaning of P.C. 189 and it is further alleged That in The Commission and Attempted Commission of The Above offense That Said defendant Darryl Lee Dunsmore personally used a deadly weapon to wit a vehicle with in The meaning of P.C. 1192.7(c)(23) and 12022(b)(1) and it is further alleged That in The Commission and attempted Commission of The above offense The Defendant Darryl Lee Dunsmore personally inflicted great bodily injury upon Joseph Canacho not an accomplice to The above offense with in The meaning of P.C. 12022.7(a)

Count 2

on or About Dec 3 2007 Darryl Lee Dunsmore did unlawfully Commit an assault upon Joseph Canacho

1 with a deadly weapon instrument and by means
2 of force likely to produce great bodily injury
3 in violation of PC 245(a)(1) and it is
4 further alleged that in the Commission attempted
5 Commission of the above offense the Defendant
6 Darryl Lee Dunsmore personally used a deadly
7 dangerous weapon to wit a vehicle within the
8 meaning of 1192.7(c)(23) and it is further alleged
9 that in the Commission attempted Commission of
10 the above offense the Defendant Darryl Lee Dunsmore
11 personally inflicted great bodily injury upon Joseph
12 Canacho not an accomplice to the above offense
13 with in the meaning of PC 12022.7(a)

14 Count 3

15 On or about Dec 3 2007 Darryl Lee Dunsmore
16 did unlawfully commit an assault upon Tony Rahn
17 with a deadly weapon and instrument and by
18 means likely to produce great bodily injury in
19 violation of P.C. 245(a)(1) and it is further
20 alleged that in the Commission and attempted
21 Commission of the above offense the said
22 Defendant Darryl Lee Dunsmore personally used a
23 deadly weapon to wit a vehicle within
24 the meaning of PC 1192.7(c)(23)

25 Common Facts and Grounds

26
27
28

1 ② Thereafter on or about unknown date was
2 defendant entered a plea of Not guilty and
3 Cause was set for trial on unknown date

4 ③ on 6/3/10 The Court pronounced judgement
5 and sentence as follows Probation is Denied
6 and The defendant is sentenced to state prison
7 for The term prescribed by Law Petitioner is
8 presently incarcerated in California HealthCare
9 facility under This judgement

10
11 Grounds for Writ
12 Suppressed Material Evidence

13 ④ Petitioner was Deprived of Due process by
14 State agencies and Defendants of GMC, state
15 agencies caused The Destruction loss of The
16 Alleged weapon To wit a Vehicle, a GMC
17 2001 Savana passenger Van 3500 and failed
18 to Devalue and Suppressed Damage To The
19 Vehicle which would have supported petitioners
20 claims That The alleged weapon a Vehicle
21 could not be controlled Due To Defects in
22 workmanship by The Manufacture GMC That
23 evidence was The failure of The Airbags to
24 Deploy loss of Accessory power To The braking
25 and steering control units Caused by faulty
26 ignition switch This evidence was not
27
28

1 only suppressed by police agencies but
2 also by The NTSA officials and GMC
3 Defendants who did not Release said info
4 Until 2014 363 Bankruptcy Sale involving
5 The largest National Car Manufacturers
6 Recall in This Nations history.

7 This fact is supported by Declaration
8 of The District attorney of orange County
9 as The Attorney General of Arizona who
10 are clear and Credible witnesses of The
11 Alleged Conduct of The NTSA, GMC Defendants
12 and The police agencies; Despite The District
13 Attorney of a County of California Declaring
14 and Filing a Civil Complaint Concerning
15 such facts in orange County. The District
16 Attorney of This County San Diego
17 Continues to suppress This Brady Discovery
18 which is exculpatory and Constitutionally
19 Mandated to be reported to The Courts
20 Depriving petitioner of a substantial
21 right his Constitutional Due process right
22 under The 14Th amendment to be heard

23 This is not The only willfull Misconduct
24 by The District attorney and The Superior
25 Court of San Diego To Deprive petitioner
26 of his Due process at This time said
27
28

1 Court Continues To Deprive petitioner
2 of a final judgement in This case which
3 This Court (The Fourth District) Remanded
4 The Lower Court To perform And Continues
5 to Deprive petitioner of his due process
6 at That hearing where he Can Raise
7 These issues and objections to The
8 illegal excessive sentence as well

Diligence of Petitioner

10 ⑤ Remitter was filed on Oct 23 2017
11 and this writ has been promptly filed with
12 in the abilities of the petitioner who is
13 a dependent adult suffering from two
14 disabilities within the meaning of CCP
15 328

Petitioner's free will

OVERCOME

18 ⑥ Long before and at the time of trial
19 Petitioner wished to have a full trial on
20 the merits before a jury. Petitioner's trial
21 counsel continuously told petitioner that a
22 judge or jury would never believe petitioner's
23 defense; only after repeated delays of the
24 trial proceedings and after constant and
25 insistent pressures and promises were made
26 to petitioner by his trial attorney did
27 petitioner relent to the theory presented
28

Existence of Meritorious Defense

Petitioner has at all times and Does now Maintain his innocence To The Charges in The indictment petitioner avers That he has a good and Meritorious defense to The Charges in The indictment which is in Substance (That due to Manufacture Defect petitioner was unable To Control The Vehicle and in no way did he intentionally use said Vehicle to injure any other party or wield as a weapon for such injury upon another!) and is set forth in his affidavit which is attached and incorporated by reference.

Reliance on Misrepresentation

⑦ Petitioner believed and relied on The representations of Trial Counsel and his will to present a contrary Theory to The true fact of This case

Facts Not Appearing of Record reference To accompanying Affidavits

⑧ None of The Substantial facts relating To The representations made by petitioner's Trial Attorney appear of Record and The Trial

1 Court was not aware of them when judgment
2 was entered Affidavits of The District Attorney
3 of Orange County Tony Rackauckas Senior
4 Assistant District Attorney Joseph D'Agostino
5 and Thomas C Horne Attorney General for
6 Arizona which contain matters in support
7 of and in proof of the facts alleged
8 here by petitioner are attached and incorporated
9 by reference petitioner can produce the sworn
10 testimony of the parties whose Affidavits
11 are so attached

12
13 Exhaustion of Remedies
14 No Other Remedy Available

15 ⑨ An appeal was taken from the judgment
16 by petitioner in 2017. Said judgment was
17 affirmed by the 4th Dist Court of Appeals
18 and became final Oct 23 2017.
19 Petitioner has no other plain speedy or
20 adequate remedy available except error
21 Coram Nobis.

22 The Superior Court has Decided My Habeas
23 abuse of the writ frivolous and untimely
24 there is successive petition in the 9th Cir
25 for Newly Discovered fact as presented in
26 This petition

Prayer

Wherefore petitioner prays That a writ of Error Coram Vobis be issued directing That The Judgment and Sentence in case 215653 be issued directing That The Judgment and Sentence be vacated or in The Alternative That Respondent Show Cause if any why The Judgment and Sentence should not be set aside and for such other and further relief as The Court May Deem just and equitable

10/30/17 D-D

Verification

I am The petitioner in This action all
Facts Alleged in The above document Not other
wise supported by Citations to The Record
exhibits or other Documents are true of my
own personal knowledge

I declare under penalty of perjury under The
Laws of The State of California That The
above is true and correct and That This
Declaration was executed on 10/28/17 at CHCF
California

10/30/17

DAD →

1081

Darryl Dunsmore
ADG237 D3B-112
Box 32200
Stockton Ca 95213

CALIFORNIA COURT OF APPEALS
FOURTH DISTRICT, DIVISION ONE

People of The
State of California
Plaintiff / Respondent

Case # D072594

✓

Darryl Dunsmore
Defendant / Petitioner

Memorandum of Points
and Authorities in Support
of Error Coram Vobis

Argument

Petitioner has clearly stated a Prima Facie
Case alleging facts with sufficient particularity
To show that there are substantial legal
and factual issues People v Shipman (1965)
62 C2d 226 42 CR1

1 The petitioner has Met The burden of
2 producing Clear and Convincing evidence and The
3 facts constitute legal grounds for setting aside
4 The Judgment People V. Grigorevich (1957)
5 153 CA2d 806 315 P2d 391

6 I don't believe any Clearer or Convincing
7 evidence than that of a District Attorney
8 of a County of California can be any more
9 so, Nor that of an Attorney General of The
10 State of Arizona and Their Declaration
11 and factual evidence presented in Their
12 civil Matter People of The State of
13 California v. General Motors LLC Case #
14 30-2014-00731038-CV-BT-CXC

15
16 There is no Doubt had This evidence been
17 presented petitioner would have been acquitted
18 The Trial Judge himself stated at Sentencing
19 Vol 13 P 1054 Line 7 (I can't see My way
20 To do it) referring to The length of sentence
21 and Vol 13 P 1050 Line 23, 24, 25 He did
22 a Magnificent Job getting it Reduced to
23 Manslaughter, But I can't see doing Much else
24 with it. You know me. It's a Rubber stamp
25 for Probation

1 clearly The Courts opinion was That
2 if There was Mitigating Facts available
3 The Court would have sentenced petitioner
4 to probation in The Courts own words
5 and a More favorable Judgment People V
6 Hayman (1956) 145 CA 2d 620 623 302 P2d 810
7

8 The reinitiator Came about because of
9 petitioners efforts To bring To The Attention
10 of This Court Counsels failure To provide
11 Declarations To The Court Concerning The
12 Accuracy and Completeness of The record
13 and lack of Certification and Mandatory
14 Court hearing concerning The failure of
15 Counsel to provide Said Declarations and
16 The failure of The Court to hold Said
17 hearing, in which upon Discovery of Said
18 fact petitioner filed an ex parte Motion
19 for OSC as to why such actions did
20 Not occur of which The Court Continued
21 to deny me My Due process right concerning
22 This Matter.
23

24 The Court has also Denied me My Due
25 process right to be brought back before
26 The Court for final judgement on Remand
27
28

1 From This Court 4th Dist Appeals People
2 V Thomas (1955) 45 C2d 433 290 P2d 491
3 People V Crouch (1968) 267 CA2d 64 67 72
4 CR 635
5

6 Petitioner has also argued Said sentence is
7 in excess of That allowed Citing 654 Violation
8 beyond That of The Jurisdiction of The Court
9 and The finding of the Jury The Trier
10 of fact and The Complaint alleging all
11 Counts to be Serious yet petitioner was
12 sentence as a violent offender contrary to
13 Those findings and The Rule of law per
14 PC 969 (f) and in Violation of petitioners
15 Due process right To hear The Allegations,
16 (That The Counts) allegation against him
17 were Violent and not Serious as cited in
18 The Complaint and Jury instruction
19

20 Finally any statutory limit That May
21 not have been met in bringing This writ
22 Could Not have been brought by petitioner
23 until now because The Misdemeanor was not
24 made known until 363 bankruptcy sale
25 7 years after petitioners trial IN Re
26 Sprague (1951) 37 C2d 110 114 230 P2d 633
27
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1 For This reason This writ should not be
2 dismissed and The fact that petitioner has
3 alleged facts with sufficient particularity to
4 show That There are substantial legal and factual
5 issues on which The Availability of The writ
6 turns People v Shipman 1965 62 C2d 226 232
7 42 CR 1
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21 I Declare Under penalty of perjury under The
22 Laws of The State of California is true
23
24
25

26 10/30/17 DJD c
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28