

Supreme Court
OF THE
United States

Victor Correa

v.

Scott Wyckoff, et al.

Board of Parole Hearings

No. 25-6681

Supplement

to consider newly
discovered law

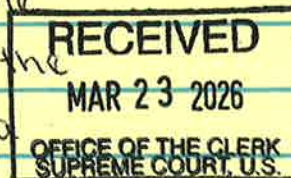
"People v. Shaw, 2025 Cal. LEXIS 8249 (2025)."

The Supreme Court of California Unanimously held that the rule established in *People v. Vargas*, 328 P.3d 1020 (Cal. 2014), requiring a trial court to dismiss one strike when two prior strike convictions arise from a single criminal act, applies equally when the defendant's single act harmed multiple victims.

Petitioner Correa has two prior strike convictions that arise from a single criminal act. Imposing a third-strike and eight consecutive 25 to life terms.

The California Supreme Court concludes that imposing a third-strike indeterminate life sentence would contravene the voters' understanding that "no one can be called for two strikes on just one swing".

The California Supreme Court reasoned that "the voting public would reasonably have understood the "Three Strikes" baseball metaphor to mean that a person would have three chances ~ three swings of the bat,



before the harshest penalty could be imposed.

The public would have also understood that no one can be called for two strikes on just one swing.

The Court explained that although Vargas noted at the outset that the underlying facts concerned a single act against a single victim, "the opinion ascribed no particular significance to the single-victim aspect of the case." The Vargas Court concluded that "multiple convictions alone were not sufficient to support third strike sentencing."

Accordingly, petitioner Correa's multiple convictions for a single act against a single victim are not sufficient to support third-strike sentencing.

More fundamentally, the Court explained the point of a recidivist sentencing law like the Three Strike law.

Its purpose is to fix the appropriate punishment for the defendant's current offense—an offense the law considers to be an aggravated offense because a repetitive one.

The Court recognized that Shaw's 2002 intoxicated driving was undeniably more serious because it claimed two lives rather than one, as reflected in his conviction on two counts of vehicular manslaughter and the longer sentence for that incident. The voters and legislators who enacted the Three Strikes law did not intend to authorize imposing an indeterminate life term on Shaw for his current offense—

even though his two prior strikes stemmed from just one criminal act. Imposing a third-strike indeterminate life term "would contravene the voters' clear understanding of how the Three Strikes law was intended to work. Shaw remained subject to double sentence - itself a serious penalty.

Correa's individual culpability stems from a single criminal act, imposing multiple convictions.

The trial court was required to dismiss one of the convictions. Petitioner Correa's eight consecutive 25 to life, Three Strike convictions contravenes "the spirit of the Three Strike law" requiring dismissal of at least one of the strikes under *Romero* (Id. at p. 647, 174 Cal. Rptr. 3d 277, 328 P.3d 1020; See id. at p. 642, 174 Cal. Rptr. 3d 277, 328 P.3d 1020).

Relative to petitioner Correa's case, the reasoning of Vargas and Shaw the California Supreme Court ascribed no particular significance to the victims aspect of the case. The Court explained that when two strikes are based on the same act... no reasonable person would disagree that it falls outside the spirit of the Three Strikes law - specifically, its provisions prescribing indeterminate life sentences for persons with prior strikes. The Courts have correctly explained that the aim of the Three Strikes law was to address recidivism (*Ewing v. California* (2003) 538 U.S. 11, 25, 123 S.Ct. 1179, 155 L.Ed. 2d 108).

The far more logical solution, one that is consistent with the very premise of "three strikes at the bat".

The Court should interpret the Three Strikes law as it was presented to the voters, as punishing defendants who committed a "third violent felony" after two prior failed attempts at reform. Correa's third strike is for a nonviolent crime. The Court was right in Vargas when explaining that "the voting public would reasonably have understood the Three Strikes baseball metaphor to mean that a person would have three chances—three swings of the bat, before the harshest penalty could be imposed. The public also would have understood that no one can be called for two strikes on just one swing". Petitioner Correa acted alone when confronting the single victim and as a result was given two strikes. Correa had no control over what happened after his single act, Correa is only culpable for his own single action.

Two inmates would utilize Correa's confrontation with victim to further their own intentions. The District Attorney also utilizes Correa's confrontation with the victim to make-up an inference story-line to further multiple convictions for aiding and abetting, in concert with a weapon. Petitioner Correa's writ of certiorari No. 25-6681 the above-entitled case is based on a nonviolent "Three Strikes law" parole hearing.

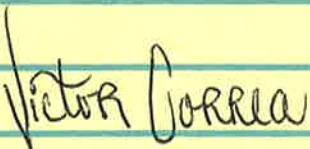
Which, brings into play this supplement on a newly discovered law "People v. Shaw, 2025 Cal. LEXIS 8249 (2025).

Supplemental to consider a new law (People v. Shaw) not previously proposed or briefed, before this court renders a decision based upon such issue fairly included within the issues raised in the above entitled case No. 25-6681 and within the scope of Supreme Court of the United States. In light of this new California Supreme Court precedent should not preclude Petitioner Correa from presenting such argument in The Supreme Court of the United States since new rules of law are matters arising in this Court authorizing discussion of such new precedent Correa insists that The Supreme Court of the United States consider this new law People v. Shaw, 2025 Cal. LEXIS 8249 (2025) relevant to the issues raised in the above entitled case No. 25-6681 when deciding Correa's case. There is no hard-and-fast rule which prohibits this Court from considering and deciding points of law which may not have been urged and argued in Correa's briefs originally filed if it appears to The Supreme Court of the United States that an important legal principle is necessarily involved in the newly discovered point of law "People v. Shaw, 2025 Cal. LEXIS 8249 (2025)" and that proper disposition of this case No. 25-6681 requires a discussion and decision of that point of law. This Supplemental is properly brought when The Supreme Court of the United States wishes to consider point of newly discovered law following regular briefing of the above entitled case No. 25-6681.

This Supplement on newly discovered law based on the papers, records and pleadings on file in this writ of certiorari No. 25-6681 the above-entitled case. Petitioner Correa respectfully requests this Court grant this Supplement on newly discovered law *People v. Shaw*, 2025 Cal. LEXIS 8249 (2025) and in accordance petitioner Correa's writ of certiorari case No. 25-6681.

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of The United States of America that the foregoing allegations and statements are true and correct.

March 10, 2026


Petitioner in pro se