

(1) EXHIBIT A

THE STATE of CALIFORNIA, SECOND Appellate
District Division THREE Decision.

(2) EXHIBIT B

SUPERIOR COURT of CALIFORNIA, COUNTY of LOS
ANGELES Decision

(3) EXHIBIT C

THE SUPREME COURT of CALIFORNIA
Decision

EXHIBIT A - B - C

S291608

SUPREME COURT

IN THE SUPREME COURT OF CALIFORNIA FILED

En Banc

MAR 18 2026

In re JEAN MAX DARBOUZE on Habeas Corpus.

Jorge Navarrete Clerk

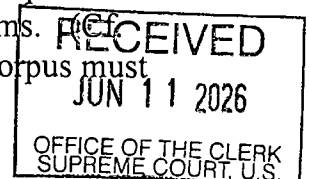
Deputy

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests counsel and discovery. In this respect, petitioner alleges a detective uttered a racial slur against petitioner in the presence of the victim. Petitioner also alleges a defendant with similar charges in Los Angeles Superior Court was offered a plea agreement to plead guilty to a single count with a determinate term. Petitioner also alleges that during in-court trial proceedings, the judge, an attorney, a law enforcement officer, an expert, or a juror used racially discriminatory language about petitioner's race, ethnicity, or national origin; he was charged or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated; prosecutors in Los Angeles County more frequently sought or obtained convictions for more serious offenses against people who share his race, ethnicity, or national origin; he received a longer or more severe sentence compared to similarly-situated individuals convicted of the same offense; and longer or more severe sentences were more frequently imposed for the same offense on defendants who share petitioner's race, ethnicity, or national origin in Los Angeles County.

The petition does not satisfy the statutory requirements for the appointment of counsel or the disclosure of discovery under the Racial Justice Act. (Pen. Code, §§ 1473, subd. (e)(5) [providing for the appointment of counsel for an indigent petitioner who pleads a plausible violation of the Racial Justice Act]; 745, subd. (d) [providing for disclosure of evidence relevant to a potential violation of the Racial Justice Act in the possession or control of the state].) The requests for counsel and discovery are denied.

Petitioner "has not established a prima facie showing" under the Racial Justice Act. (Pen. Code, § 1473, subd. (e)(7)(A).) Petitioner fails to allege particularized facts that support his claims based on alleged exhibitions of racial bias or animus or that support a claim that petitioner was charged, convicted, or sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (*Id.*, § 745, subd. (a)(1)-(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Nor does petitioner describe or attach supporting documentary evidence concerning these claims. (*People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The petition for writ of habeas corpus is denied.



GUERRERO

Chief Justice

**Additional material
from this filing is
available in the
Clerk's Office.**