

June 13, 2001

Appeals Clerk
Superior Court
440 Fifth Street
Room 206
Hollister, CA 95023

RE: *People v. Dominguez*, H022727; No. CRF 99-37033

Dear Appeals Clerk:

I am writing since the present record on appeal is missing two items usually found in the normal record. The following items should be transmitted to the Court of Appeal and parties by way of an augmentation. (California Rules of Court, rule 32.1(b).)

First, the record reflects that the deliberating jury submitted notes to which the court replied. (RT 1003-1005.) These writings are part of the normal record. (California Rules of Court, rule 31(b)(5).) Second, the present reporter's transcript does not contain any oral proceedings regarding the jury notes. These oral proceedings are part of the normal record. (California Rules of Court, rule 31(c)(5).)

Thank you for your attention to this matter.

Sincerely,

Dallas Sacher
Attorney for Appellant,
Fernando Dominguez

PROOF OF SERVICE

I declare that I am over the age of 18, not a party to this action and my business address is 100 N. Winchester Blvd., Suite 310, Santa Clara, California 95050. On the date shown below, I served the within Letter to Appeals Clerk, Superior Court to the following parties hereinafter named by:

X Placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Santa Clara, California, addressed as follows:

Attorney General's Office
455 Golden Gate Avenue
Suite 11,000
San Francisco, CA 94102-3664
[Counsel for People of the State of
California]

Court of Appeal
Sixth Appellate District
333 W. Santa Clara St., #1060
San Jose, CA 95113

Fernando Dominguez
Booking No. 84026
San Benito County Jail
P. O. Box 700
Hollister, CA 95024

I declare under penalty of perjury the foregoing is true and correct. Executed this ____ day of June, 2001, at Santa Clara, California.

Sue Yarbrough