Supreme Court of California
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S272430

Case No. ___________

IN THE SUPREME COURT, THE STATE OF CALIFORNIA

In re LESLIE VAN HOUTEN,)
)
Petitioner,)
)
Petition for Write of Mandate.)
_________________________________)

Second Appellate District, Division One, Case No. B314316
Los Angeles County Superior Court
Superior Court Case Nos. BH013656; A253156
Hon. Ronald S. Coen, Judge

PETITION FOR REVIEW

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IN THE SUPREME COURT, THE STATE OF CALIFORNIA

In re LESLIE VAN HOUTEN,)
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Petitioner,)
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Petition for Writ of Mandate.)
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PETITION FOR REVIEW

TO THE HONORABLE TANI GORRE CANTIL-SAKAUYE, CHIEF JUSTICE, AND TO THE HONORABLE ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE STATE OF CALIFORNIA:

Petitioner Leslie Van Houten hereby petitions this Honorable Court, through counsel, pursuant to California Rules of Court, rules 8.500 and 8.516 of the California Rules of Court, for review of the December 17, 2021 appellate court opinion where the Second Appellate District, Division One, summarily denied Ms. Van Houten's petition for writ of mandate on November 19, 2015. (Attached as Exhibit A) Ms. Van Houten challenged the denial of due process by Governor Gavin Newsom (Governor), in reversing the fourth grant of parole by the Board of Parole Hearings (Board) and refusing to provide the documents that indicate when the Board referred the case to the Governor for his 30-day review.

ISSUES PRESENTED FOR REVIEW

I.

DOES DUE PROCESS REQUIRE THAT A LIFE INMATE BE PROVIDED WITH NOTICE OF WHEN A GRANT OF PAROLE WAS REFERRED TO THE GOVERNOR FOR HIS 30-DAY REVIEW?

II.

DOES DUE PROCESS REQUIRE THAT THE DOCUMENTS THAT RELATE TO THE BOARD'S REFERRAL TO THE GOVERNOR'S REVIEW BE DISCLOSED WHEN THE GOVERNOR'S REVIEW IS LIMITED TO THE SAME CONSIDERATIONS THAT INFORM THE BOARD'S DECISION?

NECESSITY FOR REVIEW

This is a case of first impression. The first issue is whether a life inmate who has been found suitable for parole, is entitled to know when the Governor's 30-day jurisdictional window begins. Without being given that information, it is impossible to determine if the Governor exceeded his 30-day review period. For example, in this case the superior court denied the discovery request for the Governor's referral. In doing so, the superior court could not possibly determine whether or not the Governor exceeded his 30-day window of jurisdiction. It is not known if, or how often, the Governor exceeds his 30-day window for review

regarding inmates who had been found suitable for parole. Fundamental fairness requires this disclosure.

The second issue involves whether the inmate or his or her attorney is entitled to review the documents that relate to the Governor's referral. Article V, section 8, subdivision (b) of the California Constitution requires that a parole decision by the Governor be based upon the same factors the Board is required to consider. "Although these provisions contemplate that the Governor will undertake an independent, de novo review of the prisoner's suitability for parole, the Governor's review is limited to the same considerations that inform the Board's decision." (*In re Rosenkrantz* (2002) 29 Cal.4th 616, 660–661, 676-677 (*Rosenkrantz*).) This issue was made more important in this case because the Board asserted the "deliberate process privilege" to shield discovery requests. According to respondent, disclosure of the requested discovery would "interfere with the flow of information" and "intrude on the deliberative process." (Respondent's Answer, p. 8.) The deliberate process privilege covers the advice, recommendations, and/or opinions of the Board. It does not cover the date the Board referred the effective date of its parole decision to the Governor. Respondent sought to keep secret the flow of information and evaluation of evidence in assessing Ms. Van Houten's parole suitability when he should have been limited to the same considerations that inform the Board's decision." (*Rosenkrantz* at pp. 660–661, 676-677.) If the Governor can legitimately hide behind a claim of the deliberative process privilege, it will be impossible to determine if the

Governor relied on additional or different considerations that the Board used in finding Ms. Van Houten suitable for parole for the fourth time.[1] It will also be impossible to determine if the Board and the Governor engaged in an illegitimate flow of information without disclosure.

PROCEDURAL AND FACTUAL STATEMENT

A. Criminal History, Sentencing, Commitment.

The following summary is based on the facts set forth in the appellate opinions in *People v. Manson* (1976) 61 Cal.App.3d 102, and *People v. Van Houten* (1980) 113 Cal.App.3d 280.

Petitioner had no convictions prior to the commitment offenses which occurred on August 10, 1969. Ms. Van Houten's 1971 conviction was reversed on appeal in 1976 due to the absence of her trial counsel. (*People v. Manson*, *supra*, 61 Cal.App.3d at p. 217.) Ms. Van Houten's second trial ended in a mistrial when the jury was "hopelessly deadlocked" on premeditated murder charges. On August 11, 1978, Ms. Van Houten was convicted in her third trial (Los Angeles County case no. A253156) of two counts of first degree murder and one count

---

[1] Ms. Van Houten was found suitable for parole by the Board for a fifth time on November 9, 2021. It is not when, or if, the Board has referred the fifth parole grant to the Governor for his 30-day review. The Board's COVID protocols require the Board refer review to the Governor in less than 90 days. The Board exceeded that 90-day COVID protocol in the present case.

of conspiracy to commit murder. At trial Ms. Van Houten "admitted her full participation in the La Bianca homicides. It was conceded that she did not participate in the Tate killings." Her defense was a diminished capacity due to mental illness induced by Charles Manson and prolonged use of hallucinogenic drugs he supplied. The sentence imposed was 7 years-to-life with the possibility of parole, with a minimum eligible parole date of August 17, 1978. It is important to note that Ms. Van Houten's conviction was based on the felony murder rule where the homicides Ms. Van Houten assisted in, occurred during the commission of a robbery. The prosecutor's previous two attempts to convict Ms. Van Houten of premeditated murder had failed.

B. Summary of the Facts Regarding the Board's Referral to the Governor

On July 23, 2020, the BPH found Ms. Van Houten suitable for parole for the fourth time. The Board concluded that Ms. Van Houten "does not pose an unreasonable risk to public safety and is suitable for parole." (Writ Exhibit A, at p. 109.) In explaining the Board's reasoning, the presiding commissioner stated that Ms. Van Houten "exhibited extreme immature thinking" in handling the traumatic events of her early teenage years. He identified the childhood traumas as including her forced abortion and the breakup of her family. (Writ Exhibit A, at p. 110.) The Board found that Ms. Van Houten's "immature thinking" led to her associating with people she met "on the road" and "getting

into drugs" at an early age, which proved her "diminished culpability" because of the hallmarks of her youth. The Board gave great weight to her age as a youthful offender and found that her young age made her "very vulnerable to negative influences." (Writ Exhibit A, at pp. 110-111.)

Commissioner Grounds summarized the Board's findings by stating,

> I've done over a thousand cases, done over a thousand hearings, and you're one of the best programming inmates I've seen. You've shown signs of remorse and accepting responsibility for your criminal actions as evidenced by your testimony. Your disciplinary-free behavior, your positive behavior, your words and your deeds agree with each other. There's no discrepancy, and I hold great weight to your behavior.

(Exhibit A, at p. 113.)

Commissioner Grounds also described a school graduation he attended at the prison where "the great majority of [graduates] spoke to [sic] how you'd helped them. I could see that you were having a very positive affect on the culture at CIW." (Exhibit A, at p. 114.)

On November 27, 2020 (the day after Thanksgiving), the

Governor reversed Ms. Van Houten's fourth grant of parole.

On August 2, 2021, Ms. Van Houten filed a motion for discovery requesting the documents that indicated when the Board referred the case to the Governor. On August 3, 2021, the superior court denied the discovery motion.

On August 17, 2021, Ms. Van Houten filed a petition for writ of mandate requesting the documents that indicated when the Board referred the matter to the Governor for his review. That writ requested that if the Governor exceeded his 30-day jurisdictional window that the reversal be deemed null and void for lack of jurisdiction. Ms. Van Houten also requested a published opinion on the issue of disclosure of the referral date and What the appropriate remedy would be if the Governor exceeded his 30-day review period.

The Governor again fought disclosure of when he was referred the case by the Board. The court of appeal ordered respondent to file a declaration identifying the date on which the Board referred the case to the Governor. Respondent filed a declaration by Jessica Blonien, who is Chief Counsel for the Board.[2] Jessica Blonien conceded that the Board's employee who forwarded Ms. Van Houten's case to the Governor had retired

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[2] Jessica Blonien should not be confused with her mother, Deputy Commissioner Blonien, who is employed by the Board and routinely hears life inmate parole consideration hearings. Petitioner's counsel had a case where Jessica Blonien advocated against release of an inmate pursuant to a court order at the same time her mother was hearing the next scheduled parole hearing for the same inmate. Petitioner objects to this appearance of impropriety, if not outright conflict of interest.

from state service but the declaration indicated the case was referred to the Governor for review on October 28, 2021, along with 18 other parole suitability hearing cases. Referrals to the Governor were done on a weekly basis. The names of the other inmates and the dates of their parole hearings, and whether or not the others were found suitable for parole, was not included in the declaration. Along with the declaration, Deputy Attorney General Jennifer Heinisch motioned the court to file the declaration under seal claiming the declaration contained details regarding privileged communications with the executive branch.[3]

On December 17, 2021, the court of appeal summarily denied the petition for writ of mandate and ordered the declaration provided by the Board's attorney be filed under seal.

MEMORANDUM OF POINTS AND AUTHORITIES

I.
THE GOVERNOR'S FAILURE TO ACT WITHIN HIS 30-DAY WINDOW OF JURISDICTION PROHIBITS HIM FROM REVIEWING THE BOARD'S DECISION.

Article V, section 8, subdivision (b) of the California Constitution states:

> No decision of the parole authority of this state with

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[3] Petitioner cannot find anything in the declaration that was conditionally filed under seal that could possibly undermine the executive's privilege or interfere with the flow of information that would possibly intrude on the deliberative process as Ms. Heinisch so claimed.

> respect to the granting, denial, revocation, or suspension of parole of a person sentenced to an indeterminate term upon conviction of murder ***shall become effective for a period of 30 days, during which the Governor may review*** the decision subject to procedures provided by statute. The Governor may only affirm, modify, or reverse the decision of the parole authority on the basis of the same factors which the parole authority is required to consider.[4] The Governor shall report to the Legislature each parole decision affirmed, modified, or reversed, stating the pertinent facts and reasons for the action.

Cal. Const., art V, § 8, subd. (b)[emphasis added].)

Penal Code section 3041.2 similarly provides, in relevant part:

> (a) ***During the 30 days following the granting***, denial, revocation, or suspension by the board of the parole of an inmate sentenced to an indeterminate prison term based upon a conviction of murder, the

---

[4] The Constitution states the Governor may only affirm, modify, or reverse the decision of the parole authority. This implies that the Governor's obligation is limited to these three options. However, in the vast majority of parole grants, it is common for the inmate to receive notice from the Board of Parole Hearings that the Governor has decided to take no action and the grant of parole remains intact.

> Governor, when reviewing the board's decision pursuant to subdivision (b) of Section 8 of Article V of the Constitution, shall review materials provided by the board.
>
> (b) If the Governor decides to reverse or modify a parole decision of the board pursuant to subdivision (b) of Section 8 of Article V of the Constitution, he or she shall send a written statement to the inmate specifying the reasons for his or her decision."

(Pen. Code, § 3041.2.)

The "Governor's authority to review a parole decision commences on the effective date of the [Board's] decision." (*In re Arafiles* (1992) 6 Cal.App.4th 1467, 1474; *In re Hare* (2010) 189 Cal.App.4th 1278, 1291 (*Hare*); *In re Tokhmanian* (2008) 168 Cal.App.4th 1270, 1275-1276.) In the present case, it is claimed by the Board's counsel that the Governor's reversal came on the last day of his 30-day jurisdictional window. The actual referral documents should provide the evidence of this referral and should be produced by respondent. At a minimum, the Board's former employee who referred the case to the Governor should be made available for cross examination. If the declaration by Ms. Blonien is accurate, that referral was made beyond the Board's COVID protocols for inmates found suitable, and extra effort is required

when there is a COVID outbreak at the inmate's prison.[5]

The case *In re Hare, supra,* 189 Cal.App.4th 1278, involved a dispute regarding the final, or effective, date of the Board's decision. Mr. Hare contended that the effective date was January 20, 2009, 119 days after the parole suitability hearing. The

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[5] On July 14, 2020, Jennifer Shaffer, Executive Officer of the California Department of Corrections and Rehabilitation (CDCR), sent out a memo to all who regularly participate in parole suitability hearings containing new procedures for dealing with the COVID virus. The memo included "Expedited Review of Parole Grants," which states:

> As a result of COVID-19 and the CDCR's ongoing efforts to promote the health and safety of CDCR staff and inmates, the Board and Governor's Office are expediting review of parole grants. Under Penal Code section 3041(b)(2), decisions made by parole panels finding an inmate suitable for parole are final within 120 days. During this time period the Board reviews the parole grant and parole plans are confirmed for each inmate. The Board's legal department is regularly screening the list of inmates granted parole to ***prioritize review of grants*** for inmates who face the greatest risk due to COVID-19. ***Review periods are generally about 90 days, with those at institutions with COVID-19 outbreaks being completed even faster.*** The purpose of the Board's review is to ensure parole decisions comply with the law, that there is no error of fact, and that there is no new information that would have a substantial likelihood of resulting in a substantially different decision.

There have been COVID outbreaks at Ms. Van Houten's prison, and Ms. Van Houten herself contracted the virus and was hospitalized. Ms. Van Houten turned 72 years old on August 23, 2021, making her very susceptible to the seriousness of the potentially fatal COVID virus. She is still recovering from her first bout with the virus.

Governor claimed the date provided to Mr. Hare was a clerical error and the effective date was January 21, 2009, 120 days after the hearing, as reflected on the warden's copy of the decision and further supported by the memorandum from the Board to the Governor stating the Governor's review deadline was February 20, 2009. The court relied on the presumption that a conflict in the effective date of the Board's decision generally is resolved in favor of the warden based on the presumption that official duties have been regularly performed. (Evid. Code, § 664.) This presumption is rebutted when "irregularity is clearly shown." (*In re Elsholz* (1964) 228 Cal.App.2d 192, 197; *People v. Martinez* (2000) 22 Cal.4th 106, 125 [the presumption affects the burden of proof' requiring the party against whom it operates having the burden of proof as to the nonexistence of the presumed fact].) Unlike Ms. Van Houten, the court found that Mr. Hare was unable to show any irregularity rebutting the presumption, and the clerical error was not sufficient to deprive the Governor of his authority to review the Board's decision. (*In re Hare*, supra, 189 Cal.App.4th at pp. 1291-1292.)

In the present case, Ms. Van Houten has carried her burden of proof by raising the strong probability that the Governor exceeded his statutory authority by issuing a late reversal. Assuming this is true, it qualifies as a clearly shown irregularity under *Hare*. Either the Board failed to comply with the COVID protocols to review the grant of parole in 90 days once Ms. Van Houten was found suitable for parole, or the Governor exceeded his 30-day window of jurisdiction, or both. Ms. Van

Houten has made multiple attempts to obtain this information from the Board and Governor, including discover motions, subpoenas, assertions of privilege, and asking respondent to voluntarily produce this evidence, all of which have been denied by respondent.

It is black letter law that fundamental jurisdiction may not be conferred by waiver, estoppel, or consent. (Rest.2d Judgments, § 12, com. b, p. 117; 2 Witkin, Cal. Procedure (5th ed. 2008) Jurisdiction, § 13, p. 585.) " '[A] claim based on a lack of [ ] fundamental jurisdiction[ ] may be raised for the first time on appeal. [Citation.]' " (*People v. Lara* (2010) 48 Cal.4th 216, 225.)

The California Supreme Court in *Lara* defined a "lack of jurisdiction" two distinct categories. (*Id.,* at p. 224.) A lack of "fundamental jurisdiction" is "an entire absence of power to hear or determine the case, an absence of authority over the subject matter or the parties. [Citation.] . . ." [¶] . . . [F]undamental jurisdiction cannot be conferred by waiver, estoppel, or consent. Rather, an act beyond a court's jurisdiction in the fundamental sense is null and void' ab initio. [Citation.] 'Therefore, a claim based on a lack of . . . fundamental jurisdiction[ ] may be raised for the first time on appeal. [Citation.]' " (*Id*. at pp. 224–225.)

The second category is an "excess of jurisdiction." (*Ibid.*) "Even when a court has fundamental jurisdiction, however, the Constitution, a statute, or relevant case law may constrain the court to act only in a particular manner, or subject to certain limitations." (*People v. Ford* (2015) 61 Cal.4th 282, 286-287.) When courts violate procedural requirements or make orders that

are unauthorized by statute or common law, those courts are acting "in excess of jurisdiction." (*Lara, supra,* 48 Cal.4th at pp. 224–225.) A court acting in excess of its jurisdiction still has "jurisdiction over the subject matter and the parties in the fundamental sense . . . ." (*Abelleira v. District Court of Appeal* (1941) 17 Cal.2d 280, 288) but acted in excess of the limits placed on that jurisdiction.

In the current matter, the Governor's reversal violated both jurisdictional categories. He acted in excess of his jurisdiction by reversing Ms. Van Houten's grant of parole for insufficient reasons. He lacked fundamental jurisdiction when he exceeded his 30-day window in which to issue his reversal.

The Governor's 30-day window of jurisdiction is analogous to the 60-day limit governing motions for a new trial. "The power of a trial court to rule on a motion for a new trial expires 60 days after (1) the clerk mails the notice of entry of judgment, or (2) a party serves written notice of entry of judgment on the party moving for a new trial, whichever is earlier, or if no such notice is given, then 60 days after filing of the first notice of intent to move for a new trial." (Penal Code § 660.) If the motion for a new trial is not ruled upon within the 60–day time period, then "the effect shall be a denial of the motion without further order of the court." (Penal Code § 660.) The 60–day time limit provided in Penal Code section 660 is jurisdictional. Consequently, an order granting a motion for a new trial beyond the relevant 60–day time period is void for lack of jurisdiction. (*Dakota Payphone, LLC v. Alcaraz* (2011) 192 Cal.App.4th 493, 500.) The same

analysis applies to the Governor's grant of jurisdiction under Article V, section 8, subdivision (b) of the California Constitution 3041.2 and Penal Code section 3041.2.

II.
THE DECLARATION OF THE BOARD'S ATTORNEY STATING THE DATE OF THE GOVERNOR'S REVERSAL WAS TIMELY, IS INSUFFICIENT WITHOUT THE DOCUMENTS UPON WHICH RESPONDENT BASES THAT ASSERTION WHICH MUST BE DISCLOSED AND MADE PART OF THE RECORD.

Penal Code section 3041.2, subdivision (a), provides that when reviewing parole determinations, the "Governor . . . shall review materials provided by the parole authority." In *In re Smith* (2003) 109 Cal.App.4th 489, the governor relied upon letters from the sheriff's department in finding that Smith was not suitable for parole. The court stated that the letters were not before the Board and could not constitute evidence in support of the Governor's decision. (*Id*. at p. 505.) The reviewing court disagreed. Pursuant to Penal Code section 3041.2, subdivision (a), that "[a]lthough the Board can give the prisoner a new hearing and consider additional evidence, the Governor's constitutional authority *is limited to a review of the materials provided by the Board*." (*Id.*, at p. 507; *In re Scott* (2005) 133 Cal.App.4th 573, 602.) Article V, section 8, subdivision (b), also requires that a parole decision by the Governor be based upon the same factors the Board is required to consider. "Although these provisions contemplate that the Governor will undertake an independent, de novo review of the prisoner's suitability for

parole, the Governor's review is limited to the same considerations that inform the Board's decision." (*In re Rosenkrantz, supra,* 29 Cal.4th at pp. 660–661, 676-677.) In affirming the writ, ***the appellate court concluded that the governor had improperly considered evidence never presented to the Board***. (*Smith* at p. 505.) These statutory provisions are necessary to ensure an adequate record for review. Dispositive matters regarding parole therefore require that the court and parties may assess the basis of the Board or Governor's actions.

The only way to verify that the Governor honored his jurisdiction time limit is to obtain a copy of the referral document(s). It is required to eliminate errors in communicating this critical information from the Board to the Governor, as well as their legal counsel. It also is required to ensure a fair adjudication of this issue. (*In re Rosenkrantz, supra,* 29 Cal.4th at pp. 660–661, 676-677 [constitutional due process applies to parole decisions].) Instead of disclosing this document or the information it contained, respondent relied on the "deliberate process privilege" to hide its contents and shield discovery. According to respondent, disclosure of the requested discovery would "interfere with the flow of information" and "intrude on the deliberative process." (Respondent's Answer, p. 8.) This invocation of the "deliberative process privilege" is without merit. The deliberate process privilege covers the advice, recommendations, and/or opinions of the Board. It does not cover the date the Board referred the effective date of its parole

decision to the Governor. This is merely a procedural fact that requires no interpretation. Respondent seems to mistake the legitimate flow of information and evaluation of evidence in assessing Ms. Van Houten's parole suitability with protecting the Governor from the consequences of his procedural error in rendering a decision in excess of his statutory jurisdiction. Additionally, using the deliberative process privilege permits the Governor to secret any improper communications he may have had with the Board. Respondent has cited no legal authority stretching this privilege this to this extent.

CONCLUSION

The time and resources spent on this issue could have been completely eliminated had the original discovery motion be granted and enforced. There is absolutely no harm in informing inmates when the Governor's 30-day review begins. Without the referral date, the inmate or court reviewing a reversal cannot possibly know if the Governor acted in a timely manner.

Additionally, the fact that respondent is claiming privileged communications between the Board and Governor are troubling. The "Governor's review is limited to the same considerations that inform the Board's decision." (*In re Rosenkrantz* at pp. 660–661, 676-677.) If such secret communications legitimately require the deliberative process privilege, then at a minimum, a reviewing court should be provided those documents to review in camera. Otherwise, there is no way to determine if the Board and/or

Governor acted in an appropriate manner.

Granting review to resolve these issues will not cause any undue hardship on the Board or Governor. In fact, resoling these issues will likely save time and resources in future parole matters.

For these reasons, Ms. Van Houten respectfully requests this Court grant review on this important issue.

DATED: December 27, 2021 Respectfully submitted,

____
Rich Pfeiffer
Attorney for Petitioner
Leslie Van Houten

CERTIFICATE OF WORD COUNT

I certify that the foregoing brief complies with California Rules of Court, rule 8.504(d) and contains 4,769 words, including footnotes, according to the word count feature of Corel Wordperfect 10, the computer program used to prepare the brief.

DATED: December 27, 2021

____
RICH PFEIFFER
Attorney for Petitioner
Leslie Van Houten

EXHIBIT A

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

COURT OF APPEAL – SECOND DIST.
FILED
Dec 17, 2021
DANIEL P. POTTER, Clerk
JLozano Deputy Clerk

LESLIE VAN HOUTEN,

Petitioner,

v.

THE SUPERIOR COURT OF THE COUNTY OF LOS ANGELES,

Respondent;

THE PEOPLE,

Real Party in Interest.

B314316

(Super. Ct. L.A. County Nos. A253156, BH013656)

(RONALD S. COEN, Judge)

ORDER

THE COURT*:

The petition for writ of mandate, filed August 17, 2021; the opposition thereto, filed August 27, 2021; the reply, filed August 31, 2021; the motion to remove the Attorney General, filed September 2, 2021; the opposition to the motion to disqualify the Attorney General, filed September 10, 2021; the reply to the opposition to the motion to disqualify the Attorney General, filed September 13, 2021; the letter brief by Leslie Van Houten, filed November 22, 2021; the letter brief by the People, filed December 10, 2021; and the motion to file declaration under seal, filed December 10, 2021, have been read and considered.

The motion to disqualify the Attorney General is denied. The motion to file declaration under seal is granted. The petition is denied.

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*ROTHSCHILD, P. J. CHANEY, J. BENDIX, J.

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Leslie Van Houten

In re Leslie Van Houten
Petition for writ of Mandate

Supr. Ct.Case No. BH013656

DECLARATION OF SERVICE

I, the undersigned, declare: I am over the age of eighteen years and not a party to the cause; I am employed in the County of Orange, California, and my business address is P.O. Box 721, Silverado, CA 92676, and my email address is highenergylaw@yahoo.com. I caused to be served the **PETITION FOR REVIEW** by placing copies thereof in a separate envelope addressed to each addressee in the attached service list.

I then sealed each envelope and with the postage thereon fully prepaid, I placed each for deposit in the United States mail, at Silverado, California, on November 21, 2021, or by email as indicated.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on November 21, 2021 at Silverado, California.

____
Rich Pfeiffer

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Supreme Court of California
Jorge E. Navarrete, Clerk and Executive Officer of the Court
Electronically FILED on 12/27/2021 by Tao Zhang, Deputy Clerk

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **In re Leslie Van Houten**
Case Number: **TEMP-B40JNYGG**
Lower Court Case Number:

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Court of Appeal Second District One	2d1.clerk1@jud.ca.gov	e-Serve	12/27/2021 12:16:35 PM
Honorable Ronald S. Coen	210 West Temple Street Los Angeles, CA 90012	Mail	12/27/2021 12:16:35 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

12/27/2021
Date

/s/Nancy Tetreault
Signature

Tetreault, Nancy (150352)

Last Name, First Name (PNum)

Law Office of Nancy L. Tetreault

Law Firm