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State of California
DEPARTMENT OF JUSTICE



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August 17, 2016

SUPREME COURT
FILED

Frank A. McGuire
Clerk of the Court
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102-4797

AUG 17 2016
Attorney General-Office Copy
Frank A. McGuire Clerk
Deputy

RE: *Sheriff Clay Parker, et al. v. The State of California, et al.*, Case No. S215265
Response to Order Requiring Briefing Regarding the Effect of SB 1235

Dear Mr. McGuire:

Pursuant to the Court's July 20, 2016 order, this reply letter brief is submitted on behalf of appellants State of California, California Department of Justice, and California Attorney General Kamala D. Harris.

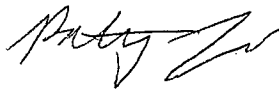
As noted in plaintiffs' supplemental letter brief, the parties are in agreement that unless the initiative and referendum qualification processes lead to a different outcome, plaintiffs' claims will be rendered moot, either when Senate Bill No. 1235 takes effect on January 1, 2017, or as of November 9, 2016, if voters approve the Safety for All Act of 2016 ("Proposition 63") at the November 8, 2016 general election. Plaintiffs' claims would *not* be rendered moot by January 1, 2017 *only* if Proposition 63 is rejected by voters *and* a proposed referendum challenging SB 1235 qualifies for the November 2018 general election ballot. The parties are, thus, also in agreement that the Court should wait for the outcome of the November 8, 2016 general election and, if necessary, the referendum qualification process, before setting oral argument.

Appellants note plaintiffs' statement that before their claims become moot, "any consideration of the proper disposition of this case due to mootness would be premature." (Plaintiffs' Suppl. Letter Br. at p. 1.) Whether considered now or later, if the case becomes moot under either of the scenarios described in the parties' respective supplemental letter briefs, the appropriate course of action will be to reverse the judgment and instruct the trial court to dismiss the action as moot. (See Appellants' Suppl. Letter

Frank A. McGuire, Clerk of the Court
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Br. at pp. 6-7.) The Court has information sufficient to consider the proper disposition of the case; the only question is whether the conditions for such disposition will occur.

Sincerely,

A handwritten signature in black ink, appearing to read "Patty Li", with a stylized flourish at the end.

P. PATTY LI
Deputy Attorney General
State Bar Number: 266937

For KAMALA D. HARRIS
Attorney General

SA2014114997

DECLARATION OF SERVICE

Case Name: *Sheriff Clay Parker, et al. v. State of California, et al.*
Supreme Court No: **S215265**
Fifth Appellate Nos: **F062709; F062490**
Fresno Superior Ct. No: **10CECG02116**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On August 17, 2016, I served the attached **REPLY LETTER BRIEF** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

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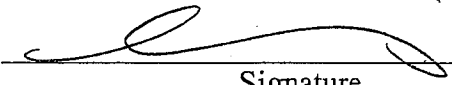
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I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 17, 2016, at San Francisco, California.

Susan Chiang

Declarant



Signature