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FILED
3-4-16
CLERK OF THE SUPERIOR COURT
COUNTY OF STANISLAUS
BY: Debbie Steen
Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF STANISLAUS

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

FRANK CARSON, et al.,

Defendants,

Case No. Stanislaus - 1490969
REQUEST FOR PERMISSION TO EXCEED 15 PAGE LIMIT TO RESPOND TO DEFENDANTS' DECLARATIONS IN SUPPORT OF THE MOTION TO RECUSE THE ENTIRE STANISLAUS COUNTY DISTRICT ATTORNEY'S OFFICE

Date: May 10, 2016
Time: 10:00 a.m.
Dept: 26
Judge: The Honorable Barbara Zuniga

Defendants have submitted to the court 23 pages of declarations in support of their motion to recuse the entire Stanislaus County District Attorney's Office. The motion is also accompanied with 10 pages of exhibits. The People seek to respond to defendant's lengthy motion and seek the court's permission to exceed the 15 page limit.

1 LAW AND ARGUMENT

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3 **I. THE PEOPLE REQUEST TO EXCEED 15 PAGES TO RESPOND TO**
4 **DEFENDANTS' DECLARATIONS**

5 Stanislaus County Superior Court Local Rules, Rule 4.04(B) provides,

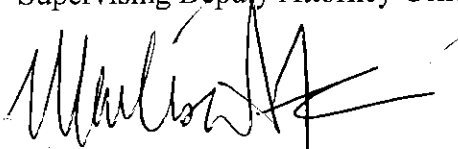
6 A memorandum of points and authorities shall not exceed **fifteen** (15) pages, excluding
7 exhibits, declarations or attachments. Any party may request by written notice to the court
8 scheduled to hear the motion, a request to exceed the **fifteen** (15) page limitation **two** (2) days
9 before the motion is to be filed or response due. Such written request set forth good cause why the
10 **fifteen** (15) page limit needs to be exceeded.

11 Defendants' declarations raise multiple evidentiary issues. To adequately respond to
12 defendant's lengthy declarations, the People request the Court grant the People permission to
13 exceed the 15 page limit.

14 Dated: March 3, 2016

Respectfully Submitted,

15 KAMALA D. HARRIS
16 Attorney General of California
17 MICHAEL A. CANZONERI
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19 
20 for HEATHER S. GIMLE
21 Deputy Attorney General
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23 BIRGIT FLADAGER
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25 MARLISA A. FERREIRA
26 Chief Deputy District Attorney

27 SA2015302076
28 Superior Court Pleading (3 party) no cover (W).doc

DECLARATION OF SERVICE BY E-MAIL and U.S. Mail

Case Name: **People v. Frank Carson, et al.**
Case No.: **1490969**

I declare:

I am employed in the Office of the Stanislaus County District Attorney, 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 Stanislaus County District Attorney 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 Stanislaus County District Attorney is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On March 4, 2016, I served the attached **REQUEST FOR PERMISSION TO EXCEED 15 PAGE LIMIT TO RESPOND TO DEFENDANTS' DECLARATIONS IN SUPPORT OF THE MOTION TO RECUSE THE ENTIRE STANISLAUS COUNTY DISTRICT ATTORNEY'S OFFICE** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Stanislaus County District Attorney, addressed as follows:

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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 March 4, 2016, at Modesto, California.


Declarant