

John Henry Yablonsky CDCR#AL0373
17-122
480 Alta rd.
San Diego, ca. 92179

10-19-21

TRIAL CASE # FVI900518

RE : REQUEST FOR ACCESS TO DISCOVERY PURSUANT TO GOV CODE § 6068(m)
cc; Supervising Deputy Public Defender Steve Bremser
cc; State Bar
cc: Governor Gavin Newsome

Dear Mr Bremser;

I appreciate your response, and would like to comment on your answer to my request for access to "MY CASE FILE" which is in your possession, if you would not mind.

Your office was appointed at my arraignment hearing on march 11, 2009, where Geoffery Canty was appointed for my case. In our March 2009 meeting in the county jail I requested the states eentire file, which he said he would provide, but never did. Canty was changed out for David Sanders in May 2009 and was also asked for the entire file, which he stated that he would provide. Here is the account of Sanders reactions;

- 1) In June 2009 Sanders provided 300 pages, telling me that was all there was for this case. (HE LIED)
I later found out at the first day of trial there was over 5400 pages. During marsden sanders admitted this fact.
- 2) In march 2011, after trial after marsden hearing sanders provided yet another 1200 pages, different than the first 300, and once again telling me this was the rest of the file. (HEELIED ONCE MORE)
- 3) After state bar complaints Sanders provided yet another 1600pages, different than the first 300 and different than the second 1200, and still not the entire file. Sanders admitted to state bar he withheld, but lied again telling them he gave the entire file. (IT WAS NOT) This occured in 2014 June, after the trial and after direct appeal had expired.
- 4) During a 2017 P.C. § 1405 motion which the Court appointed conflict panelist Stuart O'Melveny the lawyer stated your office provided him a thumb drive which held the "ENTIRE FILE". When I asked O'Melveny for these files he stated they were on thumb drive, and he got them from you, but provided nothing suggesting he was not my lawyer at any time.

There appears to be a genuine conflict about what files you have and are willing to provide to me.

I would like to beg your pardon sir, but your office has "NEVER" provided me a complete copy of the file in your possession, and piece meal the file making it impossible for me to participate in my defense, prior to trial or afterwards.

Coincidentally my files that you managed to provide, were pilfered by CDCR officers who storm trooped into my cell on November 14, 2016 and removed nearly all the files I was given. !!

Ironically this year most recent County District Attorney Michael Ramos was caught mishandling evidence, falsifying evidence which resulted in a case being overturned by the "COLONIES CASE". This is the very fundamental of my arguments, that false evidence was used to coerce the jurors. If I am not mistaken since I am an LWOP inmate these files should be made available upon request, with regards to any and all discoverable materials provided you by the state prosecutor before, at, and or after the trial.

I am making this request because of the new laws, and new facts that provide me a vehicle for habeas action!! To date I have asked for these records numerous times, without full compliance, beginning in 2009, 2010, 2012, 2014, 2016, 2017, and most recently several times in 2021. My CDC119 shows these contacts, your lawyers admitted being begged without compliance.

WHAT MAY I ASK, IS IT GOING TO TAKE TO SEE MY ENTIRE FILE???????

Your cooperations is greatly appreciated

Joh n henry Yablo nsky

REQUESTED MATERIALS

- !) All police reports created for this case beginning on 9-23-85 to include any and all additional reports made through 3-1-2012by all parties, including multiple by same parties
- 2) All forensics reports created for this case from 9-23-85 until 8-30-2021 Any and all by any state agency or otherwise
- 3) Any and all investigations, by the public defenders office, with any persons , or with regards to evidences, experts, specialists
- 4) All requests for discovery by Canty, Sanders, Sczwytzel yourself
- 5) List of all discovery sent your office from the district attorney office, to include the murder book for this case
- 6) This list of discovery shall include any and all discoverable materials sent to you as a result of your appointment to me!!
- 7) This list shall include any and all arrests related to this case to include Gregory Backhoff, William Backhoff, Gregory Randolph Robert Mark Williams.....and any other

SHALL INCLUDE

P.C. § 1034.9 INMATES SENTENCED TO LWOP MUST BE GIVEN ACCESS TO ALL DISCOVERY WHICH WOULD HAVE BEEN REQUIRED AT TIME OF TRIAL. CURT V. SUPERIOR COURT 140 CXC APP. 44 311 IT IS NOT REQUIRED TO PROVE ACTUAL EXISTANCE (145 CXC APP. 44 473)

GOV. CODE § 6068 (M) COUNSEL HAS DUTY TO RESPOND, KEEP CLIENT REASONABLY INFORMED. ESTATE V. MOSE 204 CXC APP. 44 521 CRPC RULE 3-500 TO KEEP CLIENT REASONABLY INFORMED.



Desert Division

Thomas W. Sone
Public Defender

Rasheed S. Alexander
Assistant Public Defender

Lance S. Thompson
Chief Deputy Public Defender

October 7, 2021

John Yablonsky, AL0373
480 Alta Road
San Diego, CA 92179

Re; FVI900518

Dear Mr. Yablonsky:

Our office has previously given you copies of all the materials we have.

Very truly yours,

Steve Bremser
Supervising Deputy Public Defender