

EXHIBIT

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CARRIE KOJIMOTO

November 7, 2005

The Honorable Federal K. Ohlrich
Clerk of the Supreme Court of California
Earl Warren Building
350 McAllister Street
San Francisco, Calif. 94102

Re: People v. Allen, Case # S004483

Dear Mr. Ohlrich:

On December 10, 1987, this Court issued an order that appointed me in the above-referenced capital case to represent defendant Clarence Ray Allen as "counsel on any post-appeal proceeding in this court." I have done so, and have since represented Mr. Allen in federal habeas corpus proceedings challenging his death judgment. Those federal proceedings concluded on October 20, 2005, with the order of the Ninth Circuit affirming and entering judgment following denial of our petition for writ of certiorari by the United States Supreme Court on October 3, 2005. The State has since scheduled for November 18, 2005, a hearing in the trial court for the setting of an execution date for Mr. Allen.

I intend to fulfill my obligations under my appointment concerning any further post-appeal proceedings there may be in this Court as well as in the trial court concerning any setting of an execution date. Mr. Allen, however, requests and requires appointment of counsel to represent him in clemency proceedings before the Governor, as he intends to apply for such. I understand that this Court was unable to find other counsel to undertake the responsibilities that such appointment would entail, and on that basis I have entered the breach to provide representation for Mr. Allen in those proceedings. Accordingly, I am available to accept appointment that would expand my obligations in this case to include representation of Mr. Allen in all state post-affirmance proceedings, including executive clemency proceedings before the Governor.

Clerk of the Court

November 7, 2005

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Thank you for your attention to this matter.

Respectfully submitted,

Michael Satrio

cc: Robert D. Reichman, Supreme Court, Automatic Appeals Monitor
Mary Jameson, Supreme Court, Automatic Appeals Coordinator
Michael Millman, CAP (by email)