

1 SIXTH DISTRICT APPELLATE PROGRAM
 2 Jonathan Grossman 154452
 3 100 N. Winchester Blvd., Suite 310
 4 Santa Clara, CA 95050
 5 (408) 241-6171
 6 Fax: (408) 241-2877
 7 jonathan@sdap.org

8 Attorney for Petitioner
 9 Mario Trujillo

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13 **MARIO TRUJILLO,**
 14 Petitioner,

15 v.

16 **GREG LEWIS, Warden,**
 17 Respondent.

C 11-00522 ~~JW~~ YGR

~~[PROPOSED]~~
**ORDER GRANTING
 MOTION TO EXPAND THE
 RECORD**

18 GOOD CAUSE APPEARING:

19 Petitioner's request to expand the record with:

20 (1) Exhibit A to defendant's motion in limine (CT 494-498), attached as exhibit A to the
 21 motion, is XX granted denied.

22 (2) The City of San Rafael's Motion to Quash the Subpoena Duces Tecum (CT 412-423) and
 23 the trial court's order quashing the subpoena (CT 531), attached as exhibit B to the motion, is XX
 24 granted denied.

25 (3) Exhibits A through C to defendant's motion in limine (CT 480-493), attached as exhibit
 26 C to the motion, is XX granted denied.

27 (4) The transcripts of the jailhouse telephonic telephone calls made by petitioner that were
 28 admitted at the first trial (CT 1036, 10137), attached as exhibit D to the motion, is XX granted denied.

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(5) The reporter's transcripts of the first trial in *People v. Trujillo* volumes 9 through 17 is

~~granted and respondent shall file with this court the record.~~ XX denied.

See below. This Order terminates Dkt. No. 74.

IT IS SO ORDERED.

Dated: May 20, 2013



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

With regard to the last category, Petitioner has made an insufficient showing of relevance to the issues before the Court. In light of the fact that the second trial (which is the one at issue) had a different trial judge and a different jury than the first, the relevance of the first trial is tenuous at best.