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October 16, 2014

Hon. Dennis M. Perluss  
Presiding Justice, Division Seven  
Court of Appeal, Second Appellate District  
300 South Spring Street, North Tower  
Los Angeles, California 90013

*Via Email: 2d1.clerk7@jud.ca.gov*

Re: *People v. Borzakian*; Court of Appeal Case Number B229748

Dear Presiding Justice Perluss:

This office represents the People of the State of California, respondent in the above-referenced appeal. By this letter we wish to withdraw the request for extension of time that we filed with the clerk on October 14, 2014. Upon further reflection, and on consideration of the Supreme Court's decision in *People v. Goldsmith*, (2014) 59 Cal.4<sup>th</sup> 258, Respondent has determined that it will not be filing a response to Appellant's supplemental brief. If the Court wishes to receive a brief from the Respondent, of course Respondent will be happy to provide it.

We believe the Supreme Court's decision in *Goldsmith* fully disposes of the questions raised by the appeal, including the issues raised in appellant's supplemental brief (in violation of California Rules of Court, Rule 8.200 (b)(2)). Unless requested to do so by the Court, we do not wish to burden the Court with a rehashing of arguments already submitted in prior briefs.

Very truly yours,

DAPEER ROSENBLIT LITVAK, LLP

By

  
William Litvak

cc: See attached proof of service

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

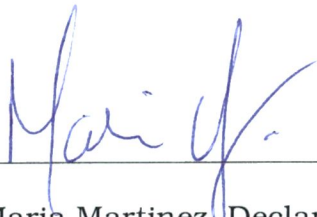
3 I am employed in the county of Los Angeles, State of California. I am over  
4 the age of 18 and not a party to the within action; my business address is 11500 W.  
5 Olympic Blvd., Suite 550, Los Angeles, CA 90064-1524.  
6

7 On October 16, 2014, I served the foregoing document described as  
8 **CORRESPONDENCE DATED OCTOBER 16, 2014 TO THE HON. DENNIS M.**  
9 **PERLUSS PRESIDING JUDGE, DIVISION SEVEN, COURT OF APPEAL, SECOND**  
10 **APPELLATE DISTRICT** on interested parties in this action by placing a true copy  
11 thereof enclosed in a sealed envelope addressed as follows:

12 SEE ATTACHED SERVICE LIST:

13 I am "readily familiar" with the firm's practice of collection and processing  
14 correspondence for mailing. Under that practice it would be deposited with U.S.  
15 postal service on that same day with postage thereon full prepaid at Los Angeles,  
16 California in the ordinary course of business. I am aware that on motion of the  
17 party served, service is presumed invalid if postal cancellation date or postage  
18 meter date is more than one day after date of deposit for mailing in affidavit.  
19

20 Executed on October 16, 2014, at Los Angeles, California. I declare under  
21 penalty of perjury under the laws of the State of California that the above is true  
22 and correct.  
23

24  
25   
26 \_\_\_\_\_  
27 Maria Martinez, Declarant  
28

SERVICE LIST

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Hon. Carol J. Hallowitz  
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