



1515 CLAY STREET, 20TH FLOOR
P.O. BOX 70550
OAKLAND, CA 94612-0550

Public: (510) 622-2100
Telephone: (510) 622-2197
Facsimile: (510) 622-2270
E-Mail: KarenKiyo.Huster@doj.ca.gov

August 7, 2006

The Honorable Justices
California Court of Appeal
Sixth Appellate District
333 W. Santa Clara Street, #1060
San Jose, CA 95113-1717

RE: *People v. Quigley*
California Court of Appeal, Sixth Appellate District, Case No.: H029406
(Santa Cruz County Superior Court Nos. 4SM21812;4WM023363
4SM023894; 4SM028271 and 4SM044:470)

Dear Justices:

Recently it has come to my attention that on July 14, 2006, Judge Barton of the Santa Cruz Superior Court dismissed the citations which are the subject of the above-entitled writ petition, on the ground that the citations were unconstitutional as enforced by the petitioner, California Highway Patrol.

These dismissals appear to be a violation of this Court's stay of proceedings, issued on November 11, 2005.

This minute order, attached, was issued with no notice to the CHP, though I am aware from the lower Court's frequent inquiry to myself at past hearings that it is aware of both the stay of proceedings as well as the pendency of the writ.

In light of the lower court's July 14, 2006 ruling, I respectfully request the Court 1.) issue an order directing the Superior Court to vacate the dismissal of the citations, and that 2.) this Court proceed to rule on the merits of the writ petition, as guidance and clarity are urgently needed on these issues of statewide importance to the motoring public.

Sincerely,

A handwritten signature in black ink that reads "Karen Kiyo Huster (POT)". The signature is written in a cursive, flowing style.

KAREN KIYO HUSTER
Deputy Attorney General

For BILL LOCKYER
Attorney General

KKH:ejg
Attachment

cc: Joyce Angell, Assistant D.A. (via: mail & fax)
Rebecca Connolly, Esq. (via: mail & fax)