

CALIFORNIA COURT OF APPEAL

OPINIONS

**THE PEREMPTORY STRIKING OF THREE AFRICAN-AMERICAN PROSPECTIVE JURORS WAS INSUFFICIENT BY ITSELF TO ESTABLISH A PRIMA FACIE *BATSON* SHOWING; DEF.'S STATEMENT WAS PROPERLY ADMITTED**

**People v. Jones** - Filed Jan. 19, 2017, in B263800 (2 DCA, Div. 7) [2017 WL 218905; 2017 Cal.App.Lexis 36].

**Facts:** Def., who was a juvenile when he committed his crimes, was convicted of two counts of attempted murder and one count of second degree murder. He was sentenced to 80 years to life.

**Held:** (1.) The peremptory striking of three African-American prospective jurors was not sufficient by itself to establish a prima facie *Batson* showing. (2.) Def.'s statement to law enforcement was properly admitted as def. implicitly waived his rights, and the statement was voluntary despite def.'s claims of coercion based on promises of leniency and threats to prosecute his father. (3.) A limited remand under *People v. Franklin* (2016) 63 Cal.4th 261 is proper because the sentencing occurred prior to *Franklin* and counsel presented no evidence relevant to def.'s 25-year parole hearing.

LOS ANGELES COUNTY - ATTEMPTED MURDER AND MURDER - AFFIRMED, REMANDED FOR LIMITED *FRANKLIN* HEARING

LA2015602501 - [REDACTED]

[REDACTED]

[REDACTED]