

Jacqueline Vizcarrondo

From: Anthony Augustyn
Sent: Tuesday, May 25, 2021 1:28 PM
To: Oksana Tsykova; Alexander Golovets, Esq.; [REDACTED]
Cc: [REDACTED] Caleb Webster
Subject: RE: Proposed scheduling order in Docket 02-334157-5 Breedlove, Brown, Prince-Brown, & Shelton

Good afternoon counsel,

Thank you for conferring and selecting those dates. The dates and times are, as far as I am aware at this time, all agreeable. I do have a couple questions / points of clarification, however.

1. I am not sure the June 10th deadline for discovery makes sense, given that: a) I have either provided or requested all discovery related to that incident, and will provide what additional evidence comes in in a timely fashion; b) I have an ongoing obligation to provide discovery that extends past any arbitrary deadlines; and c) if there is anything outstanding or that you believe you are entitled to that I have not provided, you can always file a motion to compel. To be clear, I will continue to comply with my discovery obligations, I am just not sure a date needs to be set on a scheduling order.
2. For the June 21 date, you mention “motion to compel discovery” among other topics. I am not aware of a motion to compel discovery having been filed. Can you clarify what is intended by that?
3. Because the Racial Justice Act motion is supposed to be heard “in the trial court” (PC 745(c)), I suggest we ask that this case be assigned to a department, much like the felony cases are now being directly calendared to one department for all stages in the proceedings.

Best,

Anthony E. Augustyn
Deputy District Attorney
Contra Costa County



From: Oksana Tsykova [REDACTED]
Sent: Tuesday, May 25, 2021 10:00 AM
To: Anthony Augustyn [REDACTED]; Alexander Golovets, Esq. [REDACTED]; [REDACTED]

Cc: Nancy Georgiou [REDACTED]

Subject: Docket 02-334157-5 Breedlove, Brown, Prince-Brown, & Shelton

Good afternoon Ms. Georgiou and Mr. Augustyn,

Judge Marquez requested that we prepare a proposed scheduling order for the Court to consider in this case. If we are in agreement about dates, the court can vacate the May 28th "to set" date.

All four defense counsel are proposing the following dates:

June 10, 2021 – deadline to provide any remaining discovery from the shooting case that gave rise to the events in Docket 02-334157-5.

June 21, 2021 -hearing on STD compliance/motion to quash/motion to compel discovery.

September 10, 2021 - supplemental briefing on the Racial Justice Act motion, if needed.

September 24, 2021- People's reply to supplemental briefing on the Racial Justice Act

October 8, 2021 – Hearing on motion to dismiss under PC 745, Racial Justice Act

October 18, 2021 – Jury Trial, general time waiver

Please let me know if these dates work for you.

Kind regards,
Oksana

Oksana Tsykova
Attorney at Law

[REDACTED]

From: [Anthony Augustyn](#)

Sent: Tuesday, May 18, 2021 11:24 AM

To: [Alexander Golovets, Esq.](#); [Oksana Tsykova](#); dani@dajoneslawoffices.com; Horowitz@whitecollar.us

Cc: [Janet Harkness](#); [Nancy Georgiou](#)

Subject: Additional discovery in 02-334157-5 Breedlove, Brown, Prince-Brown, & Shelton

Good morning all,

In response to our request to the respective agencies that they provide any additional items that we may not already have, yesterday Detective Savannah Steward with Richmond PD provided me a supplemental report she wrote to RPD case 20-11482. It is supplement 13 and consists of 4 pages.

I am attaching it to this e-mail as a PDF.

Best,

Anthony E. Augustyn

Deputy District Attorney
Contra Costa County

