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8 Attorneys for Defendant
9 **JOHANNES MEHSERLE**

ENDORSED
FILED
ALAMEDA COUNTY
SEP 24 2009
CLERK OF THE SUPERIOR COURT
By *C. Chacon*

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IN THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA

THE PEOPLE OF THE STATE)	Case Number: 547353-7
OF CALIFORNIA)	
)	PROOF OF SERVICE RE:
Plaintiff,)	MOTION TO CONTINUE
)	HEARING FOR CHANGE OF
v.)	VENUE PURSUANT TO 6TH AND
)	14TH AMENDMENTS TO THE
JOHANNES MEHSERLE)	UNITED STATES
)	CONSTITUTION, ARTICLE I,
Defendant.)	SECTION 16 OF THE
)	CALIFORNIA CONSTITUTION,
)	AND PENAL CODE SECTION
)	1033

Date: September 25, 2009
Time: 9:30 am
Dept: 11

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1 **PROOF OF SERVICE**

2 Case Name: *People v. Johannes Mehserle*
3 Superior Court of California County of Alameda
4 Case No.: 547353-7

5 I, Johanna Poschwatta, am a citizen of the United States, and am over 18 years of age. I
6 am employed in Contra Costa County and am not a party to the above-entitled action. My
7 business address is Rains Lucia Stern PC, 2300 Contra Costa Blvd., Suite 230, Pleasant Hill,
8 California 94523.

9 **NOTICE OF MOTION AND MOTION TO CONTINUE HEARING FOR CHANGE OF
10 VENUE PURSUANT TO 6TH AND 14TH AMENDMENTS TO THE UNITED STATES
11 CONSTITUTION, ARTICLE I, SECTION 16 OF THE CALIFORNIA
12 CONSTITUTION, AND PENAL CODE SECTION 1033;**

13 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF;**

14 **DECLARATION OF MICHAEL L. RAINS IN SUPPORT THEREOF**


15 upon all parties addressed as follows and said service was effected as indicated below:

16 **PERSONAL DELIVERY:** by causing the document(s) to be personally
17 delivered to the person(s) at the address(es) set forth below on September 24,
18 2009.

19 David Stein
20 Alameda County District Attorney's
21 Office
22 1225 Fallon Street, 9th Floor
23 Oakland, CA 94612

24 **U.S. MAIL:** by placing the document(s) listed above in a sealed envelope, with
25 First Class postage thereon fully prepaid, and deposited same in the United
26 States mail at Walnut Creek, California, addressed as set forth below. I am
27 readily familiar with this firm's practice of collection and processing of
28 correspondence for mailing. Under that practice, it would be deposited with the
U.S. Postal Service on that same day, with postage thereon fully prepaid, in the
ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct and was executed on September 24, 2009 at Pleasant Hill,
California.



Johanna Poschwatta