April 13, 2011

The Honorable Gloria Rhynes, Presiding Judge Superior Court of California, Alameda County Appellate Department René C. Davidson Courthouse 1225 Fallon Street Oakland, CA 94612

Re: Request for Publication (California Rules of Court, Rule 8.1120)

People of the State of California v. Kung

Appellate Department Case No. 5113

Trial Court Case No. 50608153/TRF

Date of Appellate Opinion: April 11, 2011

Dear Presiding Judge Rhynes:

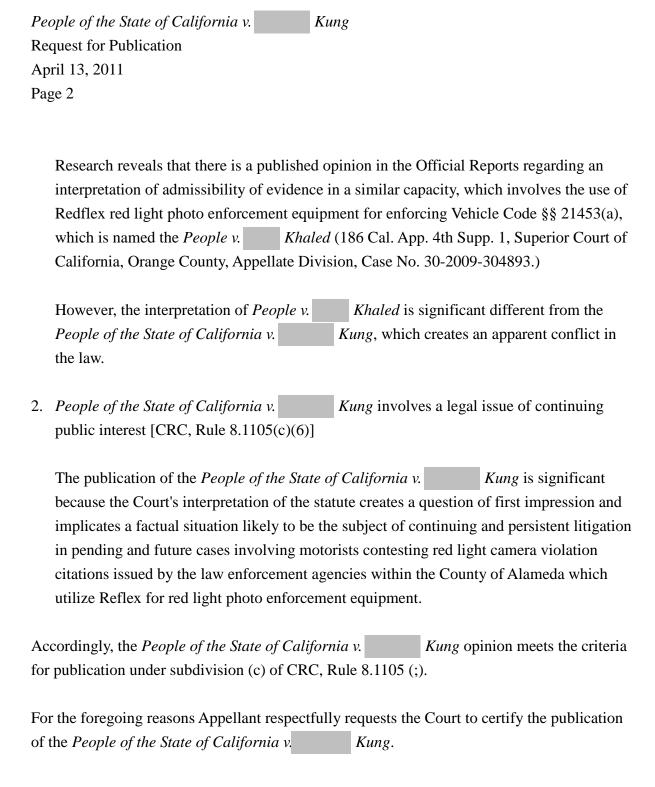
I am the defendant and appellant in the above-entitled matter. I would like to request the Court to publish its April 11, 2011 opinion in this matter pursuant to California Rules of Court ("CRC", Rule 8.1120, for the reasons set forth herein why the opinion meets the standard for publication<sup>1</sup>. A copy of this correspondence has been served on all parties of record, as shown by the attached proof of service [CRC, Rule 8.1120(a)(4)].

1. People of the State of California v. Kung addresses or creates an apparent conflict in the law [CRC, Rule 8.1105(c)(5)]

According to the Appellant's Opening Brief filed with the Court, one of the issues arise was the admissibility of evidence. Specifically, the issue was did the Trial Court err in admitting evidence based on hearsay and lack of foundations.

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<sup>&</sup>lt;sup>1</sup> The Court's opinion is concisely stated as "The judgment of the trial court is affirmed 3-0." For the publication purposes, the Court is respectfully requested to modify its opinion to include relevant facts and law with respect to the opinion. [CRC, Rule 8.888(b)]



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Respectfully submitted,



KUNG

Defendant/Appellant, IN PRO PER

Cc: Parties of Record (Proof of Service)