



OFFICE OF THE FEDERAL DEFENDER

Eastern District of California

801 I Street, 3rd Floor
Sacramento, CA 95814-2510
(916) 498.5700
Toll Free: (855) 328.8339
FAX (916) 498.5710

Capital Habeas Unit (CHU) (916) 498.6666
Toll Free: (855) 829.5071 Fax (916) 498.6656

2300 Tulare Street, Suite 330
Fresno, CA 93721-2228
(559) 487.5561
Toll Free: (855) 656.4360
FAX (559) 487.5950

HEATHER E. WILLIAMS
Federal Defender

LINDA C. HARTER
Chief Assistant Defender

JOSEPH SCHLESINGER
CHU Supervisor

CHARLES LEE
Fresno Branch Chief

RACHELLE BARBOUR, Editor

Federal Defender Newsletter

August 2014

CJA PANEL TRAINING

Panel training in Fresno and Sacramento is on summer vacation until September! Sacramento panel training will return on September 17, 2014 (third Wednesday) at 5:00 p.m. in the jury lounge at the U.S. District Court. Fresno panel training will return on September 16, 2014 (third Tuesday). Topics will be announced in the September newsletter.

ONLINE MATERIALS FOR CJA PANEL TRAINING

The Federal Defender's Office will be distributing panel training materials through our website: www.cae-fpd.org. We will try to post training materials **before** the trainings for you to printout and bring to training for note taking. Any lawyer not on the panel, but wishing training materials should contact Lexi Negin, lexi_negin@fd.org.

TOPICS FOR FUTURE TRAINING SESSIONS

Do you know a good speaker for the Federal Defender's panel training program, or would you like the office to address a particular legal topic or practice area? Email suggestions to: Fresno - Janet Bateman, janet_bateman@fd.org, Ann McGlenon, ann_mcglennon@fd.org, or Karen Mosher, karen_mosher@fd.org, or Sacramento: Lexi Negin, lexi_negin@fd.org.

~~~~~

Check out [www.fd.org](http://www.fd.org) for unlimited information to help your federal practice.

**Defender Services Office**  
**Training Branch National Trainings**  
<http://www.fd.org/navigation/training-events>

### UPCOMING TRAINING

**LAW & TECHNOLOGY SERIES: TECHNIQUES IN  
ELECTRONIC CASE MANAGEMENT WORKSHOP**  
TAMPA, FLORIDA | September 18 - 20, 2014

## ♪ NOTABLE CASES ♪

### UNITED STATES SUPREME COURT

### NINTH CIRCUIT

U.S. v. Dharni, No. 11-16438 (7-2-14) (Fisher and Berzon). The Ninth Circuit granted the defendant's petition for panel rehearing on this § 2255 petition, vacated its original opinion at 738 F.3d 1186, and remanded for further evidence and findings on defendant's claim that our District Court unconstitutionally closed the courtroom to the public during voir dire. Congratulations to former Federal Defender Quin Denvir on the rare panel rehearing reversal.

U.S. v. Daniels, No. 13-50331 (7-23-14)(Gould with N. Smith and Korman, Sr. D.J.). A court must personally address the defendant and give him or her a chance to speak before sentencing under Federal Rule of Criminal Procedure 32. This extends to supervised release dispositions under Rule 32.1(b)(2)(E). Here, the court, in sentencing on a SR violation, did not ask the defendant if he wanted to speak; and he did not ask to do so. On appeal, the Ninth Circuit discusses whether the standard of review is harmless error, as wanted by defendant, or plain error. The Court avoids deciding that issue, finding that under either standard the defendant had the right to allocate and was deprived of that right. It remanded the case.

### LETTER FROM THE DEFENDER

~ Heather E. Williams  
Federal Defender, Eastern District of California,

### FORMER FEDERAL DEFENDER EMPLOYEES LOOKING FOR EMPLOYMENT

Yvonne Jurado, [yvonneee@live.com](mailto:yvonneee@live.com),  
(916)230-0483: Paralegal, Secretarial,  
Legal Assistant, CJA voucher preparation  
and filing

Karen Sanders, [kvs.legaltech@gmail.com](mailto:kvs.legaltech@gmail.com),  
(916)454-2957 (h), (916)216-3106 (cell)  
Karen has over 20 years of experience as  
the computer systems administrator at  
FDO. She'll be providing legal technical  
and litigation support services. Hourly  
reasonable rates are available.

Lupita Llanes, [lupitallanes@gmail.com](mailto:lupitallanes@gmail.com), (559)  
360-4754: Secretarial and Office  
Management work. Bilingual  
Spanish/English services.