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9 ETHICS COMMISSION

10 CITY AND COUNTY OF SAN FRANCISCO

11
12 In the Matter of Charges Against
13 ROSS MIRKARIMI,
14 Sheriff, City and County of San Francisco.

**MAYOR'S OBJECTION TO
SHERIFF'S EXHIBIT**

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16 The Mayor objects to the Sheriff's exhibit, the decision in *Hallinan v. Committee of Bar*
17 *Examiners*, 65 Cal.2d 447 (1966). Facts recited in an appellate decision are hearsay and not
18 judicially noticeable. *Lockley v. Law Office of Cantrell, Green, Pekich, Cruz, & McCort*, 91 Cal.
19 App. 4th 875, 884 (2001). Mr. Hallinan's civil disobedience and brawls with his physical equals in
20 the 1960s are not relevant here. And it is a waste of time to admit this decision; appellate decisions
21 need not be admitted for Sheriff Mirkarimi to argue that his conduct was not official misconduct.

22 DATED: June 25, 2012

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