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Superior Court of California,
County of Monterey
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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MONTEREY

PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. PAUL RUBEN FLORES, Defendant.	Case No. 22CR003712 PEOPLE'S OPPOSITION TO MOTION FOR JUDGEMENT OF ACQUITTAL Date: March 10, 2023 Time: 8:30 a.m. Location: Department 4

I

INTRODUCTION

On October 18, 2022, a jury convicted Paul Flores of the first-degree murder of Kristin Smart. On Friday, February 24, 2023, at 4:54 p.m., the defense served the People with their Motion for a New Trial. The court should deny the motion.

II

LAW AND ARGUMENT

While a trial court retains the jurisdiction to dismiss a case after a jury's verdict, its power to do so is incredibly limited. The defense in this case is asking the court to acquit Paul Flores of the murder of Kristin Smart after a jury heard the evidence and found him guilty.

The test for the specific request being made by the defense is the substantial evidence standard. The substantial evidence standard requires the court to "review the whole record in the light most favorable to the judgment … to determine whether it discloses substantial evidence such that a reasonable trier of fact could find the defendant guilty beyond a reasonable doubt." (*People v. Johnson* (1980) 26 Cal.3d 557, 562.) This standard applies to trial and appellate courts alike when making determinations of legal insufficiency. (*People v. Hatch* (2000) 22 Cal.4th 260, 272.)

> Under this standard, the court does not ' "ask itself whether *it* believes that the evidence at the trial established guilt beyond a reasonable doubt." [Citation.] Instead, the relevant question is whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.' [Citation.]

(*Id.*) The defense has provided the court with one statute and two case citations that stand for the general proposition that the court has the jurisdiction to consider their request; however, they have supplied no analysis as to why the court should grant the motion in this case.

Substantial evidence supports the conviction in this case. To the extent that the defense intends to augment the headings of their points and authorities with any information or argument supporting their request, the People will be prepared to respond at the hearing.

III

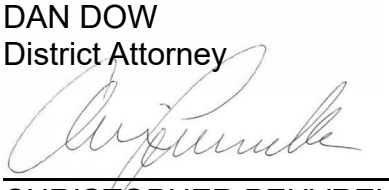
CONCLUSION

The Court should deny the defense request for a dismissal after a jury found Paul Flores guilty of the murder of Kristin Smart in this case.

DATED: March 3, 2023

Respectfully Submitted,

DAN DOW
District Attorney



CHRISTOPHER PEUVRELLE
Deputy District Attorney