

Nathan Medina AA4500
March 14, 2023
CTF North Lassen B 244
P.O. Box 705
Soledad, CA 93960-0705

Case # 05-080656-2

To: Deputy District Attorney Brian Feinberg,

Greetings, I believe it would be helpful for you to have a little insight into who I am, and where my thoughts are regarding this case.

I would like to convey to you my thoughts regarding the difficult position that you are in, and ask for your understanding of why the patience I have cultivated over the last fifteen years is difficult for me to apply to this case.

While I am abundantly grateful that your office is reviewing my case, I am also torn as you will read below.

In January of 2022, I asked my Mom, Jamie Latteri, to give you her full cooperation with my case and to give you whatever you asked for. I did this, as I did not want any delay in my release from prison and inevitable exoneration.

Since then you have had in your possession everything needed to prove that my conviction was based on:

- Perjured testimony
- Witness, evidence and Jury tampering
- Enough evidence to show a conspiracy between Trial Counsel, the Prosecutor, and possibly the Walnut Creek Police, to permanently suppress exculpatory and impeachment evidence

Should this alone be enough for my conditional release pending exoneration?

We came to the Conviction Integrity Unit (CIU) in good faith, without the aid of an Attorney, as it was important to me that I did not end up in an adversarial position with the DA's office. I want to come to a mutually beneficial agreement. I harbor no resentment, anger, or ill will towards anyone.

In 2009 while at San Quentin, I made "Peace of Mind" my number one priority. Through this tragic experience, I have learned deeply that I cannot have any peace while holding negative feelings towards anyone or anything. Imagine trying to cultivate this way of being while living amongst other inmates who take kindness for weakness and have a propensity for violence. This has not been easy; however, I am looking forward to bringing the gratitude, kindness, peace, patience, and tolerance that I have cultivated into the free world. Most importantly I want to spend quality time with my Mom and Dad before it is too late to do so. They are both struggling with serious medical issues. My father, Bob Medina passed away while I was in County jail. My Dad, Tony has been with my Mom since I was eight years old. I am fifty seven now and my greatest fear is something happening to my Mom or Dad, and me not being able to be there for them; and that the stress from this case has pushed their minor health issues into major ones.

From everything that I have read regarding the CIU, it's original mandate was for investigating and overturning wrongful convictions. This gave my parents and I great hope, however in November, we were informed that the CIU was busy working on resentencing cases because they had court deadlines. Which meant the review of my case would possibly be postponed to the summer of 2023, because wrongful conviction cases have no deadlines. This to me seemed like my case could get postponed indefinitely as new laws and other priorities come into play.

This seemed fundamentally unfair, so I put the energy I felt to constructive use. I wrote about my case and the delay with the CIU. I sent my writing to the Governor, several government agencies both local and federal, many advocacy groups, and investigative reporters. I was clear that my complaint was not with the CIU. It was that the CIU was under funded and under staffed. Why would a unit with limited funding and resources be burdened with resentencing when they have not fulfilled their original mandate or had even one exoneration? Shouldn't the real priority be for your unit to spring the wrongfully convicted from prison without delay? Such as in this headline; *Mission of DA's new unit is to spring the wrongly convicted from prison* by Annie Sciacca and Nate Gartrell PUBLISHED: May 24, 2019 in the East Bay Times.

With this in mind I felt compelled to write, as the one thing that has not changed in me is how I handle perceived injustice. When I feel an injustice, I still do the same as I always have. I write, and I have been doing a lot of that lately. As that is the most constructive use of my time when I am not working at my prison job for 29 cents a day in the Law Library.

I am hoping that I can be a vocal advocate for the CIU, helping your unit to gain more support and funding to be used to investigate and overturn wrongful convictions like my own. So that others who have been wrongfully convicted do not have to sit in prison while their case is delayed for a year or more without anyone reviewing it. I do understand that this delay was not your fault. As this falls under overburdened and understaffed. Which is something I would like to see changed in the near future.

I have a book 90% written about my life and this case. I still have editing and the final chapter to be written that will include my experience with the CIU. You might be thinking that someone with my challenging background would not be the ideal person for this. However, I believe that the wisdom gained through my past experience will be of great benefit. While I do not like the arrogant and unethical person I used to be. I really love who I have become, as I am now able to have more compassion for those who are going through difficult struggles; whether of their own making or brought on by other outside influences. The last fifteen years has truly humbled me. When you meet me in person, I believe you will recognize my sincerity and kind demeanor.

If you have been actively investigating my case, It should be clear to you by now that Dirk Manoukian chose to protect the Walnut Creek Police and help his old colleague, who had political aspirations win his first murder trial. The proof of this is in the exhibits with the State Bar complaint. Dirk lied to the Courts and the State Bar when he told them he had turned the recordings over to my Mom. In all my post conviction filings, I documented Dirk's claim that he had to sign a confidentiality agreement with the District Attorney's office before they would turn the recordings over to him. Not once was that claim denied, rebutted or acknowledged by the DA's office or the Courts. Nor has that agreement ever been presented. By the DA's office not denying Dirk's claim of this Due Process violation, they have made themselves accessories to his crime. As it was their duty to report it.

I believe this along with other documentation will be enough to show a clear conspiracy to permanently suppress exculpatory and impeachment evidence. If it wasn't for Rhoads' civil suit and the attorneys hired by Allstate, those recordings would have never been released to anyone.

This isn't just a case of IAC, my parents and I were intentionally betrayed by the Attorney we hired and then by the entire Judicial system afterwards.

After fifteen years of living in captivity and having every attempt to gain relief being blocked by my trial attorney and the courts. I cannot help feeling some fear and anxiety, at least until I hear from the CIU that they at minimum recognize the professional misconduct and crimes of moral turpitude that occurred in my case. Until then I feel compelled to write in order to lessen these stressful feelings.

With this in mind, I hope you can understand why every delay to me brings with it the fear that the CIU might be being pressured into doing the same as my trial attorney did, in trying to protect or help cover up the crimes of moral turpitude committed by him, the Prosecutor, and the Walnut Creek Police. I pray that this is not the case and I do recognize that you are in a difficult position. In order to overturn my conviction you have to first acknowledge the crimes committed by your fellow Attorneys and Police Officers. Then it is your sworn duty to report those crimes to the Attorney General, which can possibly open up hundreds of other cases. I am sure you might have already had pressure to drop this case, however my family has been assured that you are a man of high integrity, and it should also be clear that I will not stop writing until I am free. I do not wish for, or care about anyone else being held accountable for their past transgressions, as that is none of my business. What I do care about is my release being delayed while others try to figure out a way to hide their crimes.

My only concern right now is an immediate release, so I can spend quality time with my Mom and Dad before their health issues become too severe.

I already have plans for a renewable energy business and electric vehicle conversion shop. My case does not have to have all the collateral damage that it could have. I really just want to move on with my life and concentrate on positive and constructive projects. As I have a passion for all the new clean energy technologies that are now available and the future ones to come.

Please try to keep my Mom informed on your progress and potential time frame. That would greatly reduce my anxiety.

According to a June 14, 2022 report by The National Registry of Exonerations; The Contra Costa Conviction Integrity Unit is listed with no exonerations recorded. I am hopeful that I can be your first. I look forward to seeing you soon.

I am enclosing my chapter on Walnut Creek Police and Court Corruption as it has a more exhaustive description of the violations that occurred in my case.

Thank you,

Nathan Medina