

Superior Court of the State of California **E D**
FOR THE COUNTY OF SANTA CRUZ

APR 1 - 1975

RICHARD C. NEAL, Clerk
By *Barthelma Smalley*
DEPUTY
SANTA CRUZ COUNTY

PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff.

vs.

HERBERT WILLIAM MULLIN

Defendant.

No. 50219

Order Permitting Withdrawal of Exhibits

Permission is hereby granted James Jackson, Esq. (Defense counsel)

to withdraw all defendant's (A--U) Exhibits in the above entitled action.

Dated January 3, 1975

Charles S. Jamul
Judge of the Superior Court.

Receipt of the above-mentioned Exhibits is hereby acknowledged.

Mary Britton & James Jackson
Attorney for *by Stephen H. Wright*

PEOPLE

Plaintiff

vs.

No. 50,219

HERBERT WILLIAM MULLIN

Defendant

EXHIBITS

Plaintiff

Defendant

No.	No.	
	A	Handwritten yellow page dated July 31, 1973
	B	Transcript of Mullin Tape at SCPD 2/13/73 (copy)
	C	Copy of Evidence list from cabinet
	D	Video Tape (absent) excluded from evidence
	E	First Search Envelope & contents 2/13/73 81 Front St. X
	E1	Briefcase and contents
	F	First Search Envelope & contents 2/13/73 1541 McClellan XI
	G	Second Search Envelope & contents 2/16/73 81 Front St. XI
	H	Cardboard box & contents (H-1 thru H-5 and Pictures H6 & H7)
	I	Shopping bag & contents (Gosha-Do Co. on outside of bag)
	J	Cardboard box & contents (books)
	K	Copy of handwritten document dated December 13, 1972, to Publishing Service of the United Nations with attached page
	L	Copy of 2 pages, envelope addressed to Herbert W. Mullin and one page letter from Dept. of Health, Education & Welfare dated October 10, 1972
	M1	Copy of 7 pages of handwritten documents, first page to "Bureau of Statistics Beureau of the Cense"

Evidence

Evidence § 3-73

 Plaintiff
 vs.

 Defendant

No. 50,219

EXHIBITS

Plaintiff		Defendant	
No.		No.	
		X M2	Copy of 9 pages, cover page "UNITED NATIONS"
		X N	Copy of 36 pages of handwritten documents, small paper in left hand corner with "EINSTEIN" on it
		X O	Copy of 26 pages of handwritten documents, small paper in left hand corner with "DYNASTY" on it
		X P	Copy of 2 pages, first page copy of page from notebook with the words "The hashish, etc. . . "
		XX Q	Tape labeled "Herbert Mullin 4/10/73 San Mateo Co. Jail" and copy of transcript consisting of 11 pages
		X R	Copies of 5 pages of handwritten documents with "REINCARNATION" in upper left corner
		X S	Nine pages of handwritten documents
		X T	A number of handwritten pages of yellow legal tablet, marked for identification, and the Court takes the exhibit under submission (Court eliminates 5 pages and the balance is received in evidence)
		X U	A list of questions which are written on yellow legal tablet which are questions defendant wished his counsel to ask various witnesses, marked but not in evidence
		X T1	Five pages removed from Exhibit T, for identification only

Evidence 8-9-73

Superior Court of the State of California

FILED
APR 1 - 1975

FOR THE COUNTY OF SANTA CRUZ

RICHARD C. NEAL, Clerk
By *Sarah J. Sweeney*
DEPUTY
SANTA CRUZ COUNTY

PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff.

vs.

HERBERT WILLIAM MULLIN

Defendant.

No. 50219

Order Permitting Withdrawal of Exhibits

Permission is hereby granted District Attorney's Office

to withdraw all People's (1-81) Exhibits in the above entitled action.

Dated January 3, 1975

Charles S. Frankel
Judge of the Superior Court.

Receipt of the above-mentioned Exhibits is hereby acknowledged.

A. Cook
Attorney for *State/Plaintiff*

PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff

vs.

No. 50,219

HERBERT WILLIAM MULLIN

Defendant

EXHIBITS

Plaintiff		Defendant	
No.		No.	
1	Large map of surrounding area		
2	Pictures on cardboard labeled 2A, 2B, 2C, 2D & 2E showing Gianera residence		
3	Diagram of first floor of Gianera residence		
4	Pictures on cardboard showing inside Gianera residence labeled 4A, 4B, 4C, 4D, 4E & 4F		
5	Photos on cardboard of victims and stairs labeled 5A,5B,5c,5D		
6	Diagram of second floor of Gianera residence		
7	Photo of gate with lock		
8	Button in plastic bag		
9	Expend shell case in vial in plastic bag taken from Gianera living room floor		
10	Bullet in plastic bag from wall near bathroom (Gianera residence)		
11	Expend slug in small can from board in kitchen		
12	Bullet in plastic bottle which fell out of Joan Gianera's hair in mortuary		
13	Bullet in plastic bottle taken from Joan Gianera's head		
14	Bullet in plastic bottle taken from Joan Gianera		
15	Bullet in plastic bottle taken from Joan Gianera		
16	Projectile in plastic bottle taken from James Gianera		
17	Projectile in plastic bottle taken from James Gianera		
18	Projectile in plastic bottle taken from James Gianera-Thorax		
19	Bent shell casing in plastic bag found in dresser drawer(Gianera residence)		
20	Kitchen knife		
21	Evidence Envelope containing slug recovered from Cathy Prentiss(Francis)		
22	Evidence envelope containing slug from David Hughes		
23	Evidence envelope containing slug recovered from Damion Francis		

PEOPLE

Plaintiff

vs.

No. 50,219

HERBERT WILLIAM MULLIN

Defendant

EXHIBITS

Plaintiff

Defendant

No.		No.	
35	Evidence Envelope Re Johnson #1		
36	Evidence Envelope Re Oliker #2		
37	Evidence Envelope Re Card #3		
38	Evidence Envelope Re Spector #4		
39	Copy of Dealers Record of Sale of Revolver or Pistol		
40	Original Firearms Transaction Record		
41	Sales Slip-Western Auto Store for pistol	12/16/72) NOT IN CLERK'S EXHIBITS
41A	Statement of Warranty		
42	Diagram of wound to head of Driebelbiss		
43	Diagram of wound to head of Oliker		
44	Diagram of wounds to head of Card		
45	Diagram of wound to head of Spector		
46A	Diagram of head of James Gianera showing path of bullet		
46B	Diagram of head & chest of James Gianera showing paths of bullets		
46C	Body diagram of James Gianera		
47	Diagram of head of Joan Gianera showing path of bullets		
48	Diagram of superior aspect of cerebrum showing track of bullet wound		
49	Pocket (pen) knife		
50	Diagram of Prentiss showing heart and chest wall		
51A	Diagram of head of Damion showing gunshot wound		
51B	Body diagram of Damion showing stab wound		
52	Diagram of anterior view of chest of Perez showing bullet path		
53	Cloth bag in plastic bag		
54	Small hand gun		
55	22 Long Rifle shells in plastic bag		
56	Cartridge casings in plastic bag		
57	Partially filled box of long rifle shells		

PEOPLE

Plaintiff

vs.

No. 50,219

HERBERT WILLIAM MULLIN

Defendant

EXHIBITS

Plaintiff

Defendant

No.		No.	
58	Large picture of comparison Revolver		from car-James Thorax
59	Large picture of comparison Scene		SCPD - In car w/revolver
60	Large picture of comparison Scene		SCPD - In car w/revolver
61	Expended cartridge casing found in back (in plastic in brown envelope)		of station wagon
62	Overcoat - checked		
63A	Photo of checked overcoat showing button		& thumb
63B	Photo of checked overcoat showing button		
64	Cotton bag in plastic		
65	Enlargement of button		
66	Enlargement of button back		
67	Button		
68	Bullet in box in brown envelope		fired from Exhibit #54 found in cabin-tent
69	Roll of masking tape		
70	Enlarged photo matching torn masking tape		
71	Enlarged photo of torn masking tape		
72	Black wallet		
73	Handgun Digest		
74A	Photo of defendant, full face		
74B	Photo of defendant, profile		on cardboard
75	Photos of victims/(Gianera)		marked A & B (not in evidence)
76	Photos of victims/ on cardboard (Francis)		marked A & B (not in evidence)
77	Photo of victim (Perez)		on cardboard (not in evidence)
78	Photos of victims on cardboard		marked A, B, C & D (not in evidence)
79	Four pages - Outline of Mullin Homicides		
80	Expando folder and contents		
81	Five photos of knives		in plastic cover

✓
No. 50219
IN THE
SUPERIOR COURT
State of California
County of Santa Cruz

IN THE

FILED

Court of Appeal of the State of California
IN AND FOR THE
First Appellate District

MAR 28 1974
TOM KELLEY, CLERK
BY [Signature]
DEPUTY
SANTA CRUZ COUNTY

Division Two

No. 1 Crim. 12451

San Francisco January 25, 1974

People of the State of California,
Plaintiff and Respondent,

vs.

Herbert William Mullin,
Defendant and Appellant.

On Appeal from the Superior Court in and for
the County of Santa Cruz
Superior Court No. 50219

And now, at this day, it appearing to this Court that there is good cause to dismiss the appeal
in the above-entitled cause,

It is ordered, adjudged and decreed by the Court that the appeal
from the judgment and/or order

of the Superior Court in and for the County of Santa Cruz
in the above-entitled cause be and the same is hereby dismissed.

I, CLIFFORD C. PORTER, Clerk of the Court of Appeal of the State of California,
in and for the First Appellate District, do hereby certify that an order as
set forth herein was entered in the above-entitled cause on the 25th day
of January, 1974, and now remains of record in my office.

WITNESS my hand and the seal of the Court, affixed at my office,

this 27th day of March, A.D. 1974.

CLIFFORD C. PORTER Clerk

By [Signature] Deputy

Please file
[Signature]