

EDMUND G. BROWN JR.
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State of California
DEPARTMENT OF JUSTICE



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August 24, 2010

Katharine Wylie
Foreperson
Grand Jury
County of Mendocino
P.O. Box. 939
Ukiah, CA 95482

RE: Request for Attorney General's Opinion No. 10-0801

Dear Ms. Wylie:

Thank you for your letter dated June 14, 2010, which we received on August 3, 2010. Your letter requests an opinion from the Attorney general on the apparent conflict between Penal Code section 932, and the principle of a District Attorney's prosecutorial discretion. Unfortunately, we must decline your request. The Attorney General's authority to issue opinions on questions of law is limited by Government Code section 12519, and does not extend to grand juries.

I regret that we could not be more helpful to you in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Duncan Lee", written over a horizontal line.

SUSAN DUNCAN LEE
Supervising Deputy Attorney General
Opinion Unit

For EDMUND G. BROWN JR.
Attorney General