



GOVERNOR GAVIN NEWSOM

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PROV 3:9 LLC
Geoff Palmer
California Republican Party

CHARGE

The People of the State of California in 58 counties hereby make the following accusation: That defendant NEWSOM, on or about January 7, 2019, to present, in the State of California, committed dereliction of duty, absolute incompetence, and failure of leadership, in violation of trust of the People of California, especially crime victims, which resulted in an out-of-control rise in violent crimes, including a 31 percent increase in homicide rates.

EPIDEMIC OF LAWLESSNESS SPIKE IN HOMICIDES AND VIOLENT CRIMES

- The 31 percent jump in homicides made 2020 the deadliest year since 2007. Minorities are more likely to be the victims of violent crime.
- Black people account for 9 percent of LA's population, but make up 36 percent of homicide victims.
- Latinos account for 50 percent of LA's homicide victims.
- In 2020, there were 2,202 homicides, which is 523 more than in 2019.
- Murders in Los Angeles County have spiked nearly 200 percent in 2021, compared to the same time in 2020.
- Aggravated assault increased 8.8 percent in 2020. Of the total homicides in 2020, 28 percent were gang related, 7 percent were related to domestic violence, and 8.5 percent were connected to rape, robbery or burglary.

"liars can figure and figures can lie, but they can't hide the bodies."

The reason why the sharp rise in homicide rates and car thefts is significant is because NEWSOM cannot fudge with the numbers to try and convince us that crime is not on the rise. By decriminalizing crimes, he will try to say the crime rates have remained the same. However, you can't make a crime victim undead and you can't make a stolen car reappear.

NEWSOM has never stood up to the "Defund the Police" movement that has fueled the epidemic of lawlessness in California.

epidemic of lawlessness in California.

California homicides jump 31% in 2020, reaching highest total in 13 years: Associated Press, 2021 https://www.latimes.com/california/story/2021-07-01/california-homicides-jump-31-in-2020-the-most-in-13-years

2020 Homicide in California: California Department of Justice, 2020

https://data open justice.doj. ca.gov/sites/default/files/2021-06/Homicide%20In%20CA%202020.pdf for the control of the contr

 $Murders\ in\ Los\ Angeles\ up\ nearly\ 200\%, violent\ crime\ rising\ at\ rapid\ pace,\ sheriff\ 's\ statistics\ show:\ Fox\ News,\ 2021$

https://www.foxnews.com/us/violent-crime-los-angeles-rapid-pace-sheriffs-statistics-shows the statistic of the statistic of

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NEWSOM GAVE 76,000 FELONS, INCLUDING MANY WITH SERIOUS AND/OR VIOLENT CONVICTIONS ON THEIR RECORD, THE GIFT OF EARLY RELEASE.

- Some of the early released felons were COVID-19 positive which is a hazard to public health and safety.
- With little to no notice to the public and crime victims, violent and repeat felons became eligible for early release.
- These paroled prisoners have murder, carjacking, robbery, and kidnapping on their record.
- Among the eligible felons, 20,000 are serving life sentences, 10,000 are second strikers, and 2,900 are third strikers.
- NEWSOM kept good on his campaign promise of closing prisons doing so on executive order. He mishandled the issue without considering the repercussions on public safety and failed to protect the victims and their families.

 $Amid\ COVID-19,\ California\ releases\ some\ in mates\ doing\ time\ for\ murder.\ Advocates\ push\ to\ free\ more:\ Richard\ Winton,\ 2020\ https://www.latimes.com/california/story/2020-08-09/covid-19-california-releases-violent-crime-murder-prisoners$

State Prison Approves Early Release of Inmate Serving Life Sentence for Arson and Threats to Rape and Kill, as a Result of Covid-19 Concerns: Yolo County District Attorney, 2020 https://yoloda.org/state-prison-approves-early-release-of-inmate-serving-life-sentence-for-arson-and-threats-to-rape-and-kill-as-a-result-of-covid-19-concerns/

76,000 California inmates to be eligible for earlier release: Associated Press, 2021 https://www.nbcnews.com/news/us-news/76-000-california-inmates-be-eligible-earlier-release-n1266044

Terebea Williams

RELEASED

Terebea Williams (right top) shot her boyfriend, Kevin Ruska (right below), and drove 750 miles with him bleeding in the trunk of her car. She tied him to a chair in a motel, leaving one of his legs free so he could stomp for help, and left him for dead. Williams only served 22 years of an 84-year-to-life sentence.

"For her to only be behind bars for 22 years, less than the amount of time that he was alive ... Shame on you for putting these victims and their families through this trauma all over again."

- Dena Love, victim's sister

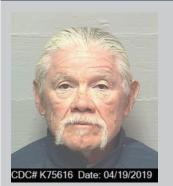
"While Corrections told us they were releasing her just a few days before, there is no transparency, and we have no other explanation for her release ... There is no reason for failing to listen to the family of a victim who suffered truly horrifically."

- Prosecutor





Santiago Cruz



RELEASED

In 1997, Santiago Cruz was convicted of criminal threats and, under the three strikes law, he was sentenced to 125-years-to-life. Cruz had repeatedly harassed his exwife, stalked her boyfriend, threw Molotov cocktails at their house as they slept, phoned the teenage daughter of the new boyfriend, and "threatened to rape her while her father watched, kill her and then kill her father." In July of last year, Cruz was released early. As a result, Cruz's ex-wife now lives in fear and states that she feels like she's the one in prison.

David Weidert





In 1980, David Weidert was convicted of murdering a 20-year-old developmentally disabled man to cover up a \$500 burglary. Weidert and an accomplice lured Morganti into a car, took him to an isolated place, forced him to dig his own grave, beat him with a baseball bat and a shovel, stabbed him with a knife, choked him with a telephone wire, and buried him alive, causing Michael Morganti to die from suffocation. Last year, NEWSOM said he thought Weidert "currently poses an unreasonable danger to society if released from prison at this time."

Amid COVID-19, California releases some inmates doing time for murder. Advocates push to free more: Richard Winton, 2020 https://www.latimes.com/california/story/2020-08-09/covid-19-california-releases-violent-crime-murder-prisoners

State Prison Approves Early Release of Inmate Serving Life Sentence for Arson and Threats to Rape and Kill, as a Result of Covid-19 Concerns: Yolo County District Attorney, 2020 https://yoloda.org/state-prison-approves-early-release-of-inmate-serving-life-sentence-for-arson-and-threats-to-rape-and-kill-as-a-result-of-covid-19-concerns/

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PARDONS, COMMUTATIONS, REPRIEVES

- 14 Pardons13 Commutations
- 8 Medical Reprieves

- Bank Robbers
- Armed Robbers
- Kidnappers
- Killers for hire
- Assaults with firearms

On the Friday before
Memorial Day weekend,
NEWSOM granted clemency
in hopes of burying the news.
He then tried to spin it as
pardoning firefighters when
only two of the pardons and
commutations were
inmate firefighters.



California's post-prison chaos. Thousands released early, including many with coronavirus: Robert Lewis, 2020 https://calmatters.org/justice/2020/08/california-prisons-early-release-coronavirus/

Gov. Newsom Pardons Murderers, Bank Robbers, Kidnappers, Killer for Hire: Katy Grimes, 2021 https://californiaglobe.com/section-2/gov-newsom-pardons-murderers-bank-robbers-kidnappers-killer-for-hire/

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PROPERTY CRIMES OUT OF CONTROL

Over the past five years, San Francisco had to close 17 Walgreens stores, 10 of which closed between 2019 to today, due to shoplifting. Stores like Target have had to shorten their store hours due to the increase in retail crime. In a FOXLA interview, NEWSOM argued "the evidence doesn't back it up... The last three decades, we've actually seen a significant decline [of crime] in the state."

NEWSOM states that Proposition 47 has "given us the ability to invest an unprecedented amount of money back into the communities."

In 2020, Los Angeles Mayor Eric Garcetti



said he never received the funds from the proposition.

"I don't know where that money is. I've been calling for three years for Sacramento to deliver that money. We haven't

seen these dollars. We need to have those dollars that were promised from Sacramento under Prop 47 come to local programs."

- Democrat Los Angeles Mayor Eric Garcetti





"That's a fantasy world. Where are we living? I mean, you could look at the numbers throughout California and the rest of the country. Crime is increasing. It is surging, and there's no consequences."

- Los Angeles Police Protective League vice president Sgt. Jerretta Sandoz

California Property Crime Surge Is Unintended Consequence of Proposition 47: Lawrence McQuillan, 2018 https://www.independent.org/publications/article.asp?id=9417

California police sergeant rips Gov. Newsom for denying crime spike - He's living in a 'fantasy world': FOXLA, 2021 https://www.foxla.com/news/california-police-sergeant-rips-gov-newsom-for-denying-crime-spike-hes-living-in-a-fantasy-world

Target, Walgreens make drastic changes due to increase in San Francisco thefts: ABC7, 2021 https://abc7news.com/target-hours-san-francisco-walgreens-closing-sf-crime-near-me/10854900/

Shoplifting Has Forced Walgreens to Close 17 Stores: San Francisco News, 2021 https://www.thesfnews.com/shoplifting-has-forced-walgreens-to-close-17-stores/77228

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NEWSOM CAN'T MANIPULATE THESE FACTS BECAUSE HE CANNOT MAKE STOLEN CARS AND TRUCKS REAPPEAR.

- 180,939 vehicles stolen in 2020, with an estimated total value of \$1.6 billion.
- In 2020, a vehicle was stolen every three minutes in California.
- According to California Highway Patrol, the top stolen vehicle models are the Honda Civic 1999, 1998, and 2020. The average value is \$3,000.
- The most commonly stolen personal truck/sport utility models are the Chevy Silverado 2001, 2002, and the Honda CRV 2000.



VEHICLE THEFT

 In 2020, 180,939 vehicles were stolen, at an estimated total value of approximately \$1.6 billion. This is a 19.6 percent increase from the 2019 total for vehicle thefts statewide. The average rate of theft in 2020 was one vehicle every 3 minutes.

Of the vehicles stolen in 2020, 40.5 percent were automobiles, 45.9 percent were personal trucks and sport utility vehicles (SUV), 5.6 percent were commercial trucks and fabries, and Fabries, and of September vehicles (secretational vehicles, construction and farm equipment, special construction, etc.) accounted for 2.5 percent of thefis.

Top theft targets:

Automobiles Honda Civic 200

Honda Civic 1998 Honda Civic 1999

3) Motorcycles

Yamaha 2015 Yamaha 2017 Yamaha 2016

2) Personal Trucks/Sport Utility Vehicles

Chevy Silverado 200 Chevy Silverado 200 Honda CRV 2000

4) Commercial Trucks

Freightliner 2015 Freightliner 2012 Freightliner 2013

1 https://ucr.fbl.gov/crime-in-the-u.s-2019/crime-in-the-u.s-2019/topic-pages/motor-vehicle-theft

2020 California Vehicle Theft Facts Page 3

VEHICLE THEFT TRENDS

- For the third consecutive year, the 2000 and 1998 Honda Civic rank as the number one and two stolen vehicles statewide, respectively, and the 1999 Honda Civic ranked at number three.
- The 2001 and 2002 Chevy Silverado took the number one and two spots, respectively, for personal trucks and SUVs for the first time. After three years in the number one spot, the 2000 Honda CRV took the number three spot.
- For the second consecutive year, Yamaha ranked as the number one, two, and three most frequently stolen motorcycles with the model years 2015, 2017, and 2016 respectively.
- Freightliner commercial trucks model years 2015, 2012, and 2013 ranked number one, two, and three, respectively. Other vehicles include farm and construction equipment. In these categories, an unpublished construction equipment corporation ranked as the number one brand of stolen construction equipment, and John Deere farm equipment has ranked as the number one brand of stolen farm equipment every year since 2000. These vehicles and equipment are popular targets because of their high resale value, popularity, and availability.

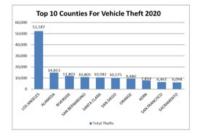
VEHICLE RECOVERIES

- Of the 180,939 vehicles stolen statewide in 2020, 89.2 percent were successfully recovered, representing 161,464 recovered vehicles.
- Of the vehicles stolen statewide, 96.0 percent of the automobiles, 93.6 percent of the personal trucks and SUVs, 81.4 percent of the commercial trucks, and 57.1 percent of the motorcycles were recovered.
- Of the vehicles recovered statewide, 63.6 percent were recovered intact and in drivable condition, 3.1 percent were missing major components, 8.6 percent were stripped or minor parts, and 24.6 percent were intentionally burned
- In 2020, it was determined 39 of the recovered vehicles were cargo theft only
 At less than half a percent the total number of cargo theft in California is its

2020 California Vehicle Theft Facts

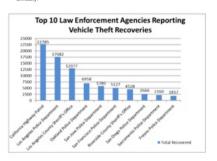
WHERE THE THEFTS OCCURRED

- Approximately 52.2 percent of all thefts occurred in Southern California (Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties). Of the thefts in Southern California, 42.2 percent occurred in Los Angeles County.
- Approximately 19.3 percent of all thefts occurred in the San Francisco Bay Area (Alameda, Marin, San Francisco, San Mateo, and Santa Clara Counties). Of the thefts in the San Francisco Bay Area, 42.3 percent occurred in Alameda County.
- Approximately 12.4 percent of all thefts occurred in the Central Valley (Kern, Fresno, San Joaquin, Stanislaus, Tulare, Merced, Madera, and Kings Courilles). Of the thefts in the Central Valley, 34.8 percent occurred in Kern Courilly.
- The remaining 16.1 percent of thefts occurred throughout the remainder of California.



2020 California Vehicle Theft Fact Page 4

compared to overall vehicle thefts; however, it is considered an ongoing problem as cargo theft is estimated to cost Californians millions of dollars annually.



INFORMATION SOURCES

- California Department of Justice, Stolen Vehicle System
 California Michael Patrol, Vehicle Theft Information System
- California Highway Patrol, Vehicle Theft Information System
 Federal Bureau of Investigation's Uniform Crime Reporting Program

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UNDER NEWSOM, FENTANYL CRISIS RAGES ON

In Riverside County:

- 800 percent increase in fentanyl deaths.
- In 2020, 227 fentanyl related cases.
- In 2021, on track to have between 500 to 600 deaths.

In Santa Clara County:

- 226 percent increase in fentanyl deaths (from 27 in 2019 to 88 in 2020).
- Drug overdoses are driving an increase in overall homeless deaths.



NEWSOM IS A STRONG SUPPORTER PROPOSITION 47 AND AB 109.

- Proposition 47 reclassified lower-level crimes, such as drug possession and petty theft, from felonies to misdemeanors.
- AB 109 shifted the state prison's responsibilities of monitoring and incarcerating lower-level offenders to the counties.

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CALIFORNIA HOMELESS: VICTIMIZED AND COMMITING CRIMES

- California has the highest homeless population in the nation.
- In 2020, California had a homeless population of 161,548 and this number is expected to increase even more throughout the year.
- In Los Angeles (LA), crime involving the homeless, as the victim or the suspect, disproportionately makes up 8 percent of all crime. LA has a homeless population of about 40,000 which is only 1 percent of LA's total population. 1 percent of the population representing 8 percent of all crime is outrageous.
- Crime involving the homeless makes up 15 percent of all violent crime. These rates are increasing. In 2018, crime involving homeless people accounted for only 13 percent of all violent crime in LA. California needs legitimate leadership to improve the increasing homeless population and crime rates.

What is really going on with homeless crime? We crunched the numbers: ABC7, 2021. https://abc7.com/feature/homeless-crime-los-angeles-data-response/10827722/#:~:text=Crimes%20involving%20homeless%20people%20tend,and%20s0%20far%20in%202021



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CALIFORNIA IS ON FIRE WHILE NEWSOM TAKES BLOOD MONEY

- PG&E is supposed to be an independent agency, yet several documents from the California Public Utilities Commission revealed that PG&E had to submit work to the governor's office for multiple approval processes.
- Even after the conviction of 84 counts of felony involuntary manslaughter for recklessly causing the most destructive fire in California, NEWSOM supported PG&E by giving them protection.
- To make matters worse, after PG&E filed for bankruptcy, stating that they are unable to pay the \$200 million in fines, the company gave \$2.1 million in political donations.
- In 2019, NEWSOM accepted over \$200,000 in political donations.

"The money they're taking is blood money. They're just as guilty as PG&E is."

– Phillip Binstock, whose father was one of the victims of the PG&E fire.

In addition, NEWSOM's early release program has caused an inmate firefighter shortage. Inmate firefighters are a crucial part of fighting fires in California. The California Department of Corrections and Rehabilitation will close up to eight inmate fire camps. During this year's extreme drought, California will experience a tough fire season, especially without those inmate firefighters.

"We do whatever the governor tells us to do, period. You don't do anything without [Gov. Newsom's] staff reviewing it or talking to you or approving it. And that's the way it was."

Former California Public Utilities
 Commission executive director Alice
 Stebbins



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NEWSOM'S BAD LAWS

In 2020, NEWSOM also supported Proposition 25 which would replace the cash bail system with a Risk Assessment Referendum. In April of this year, California temporarily adopted a \$0 emergency bail schedule due to COVID-19 concerns. This temporary period acted as an example for what could have happened if Proposition 25 had passed. Just in Yolo County



with the \$0 bail schedule, the individuals who reoffended, since their release on \$0 bail, have committed 152 new crimes, 76 of which were felonies. Even during the two month period of having no bail, Yolo County had to rearrest and rerelease hundreds of criminals. The impact of a permanent criminal justice system without bail is unimaginable.

SUPPORTED:

- Proposition 36 (in 2012), which changed California's Three Strikes Law to ensure offenders who have committed certain crimes do not go to prison for life.
- Proposition 47 (in 2014), reclassified lower-level crimes, such as simple drug possession and petty theft, from felonies to misdemeanors.
- Proposition 57 (in 2016), created opportunities for early release by expanding parole eligibility.
- Proposition 25 (in 2020), would have replaced the cash bail system with a Risk Assessments Referendum where a judge must assess the defendant's risk of reoffending.

https://www.votesmartiustice.org/candidates/gavin-newsom

Gov Newsom Endorses Prop 25 to Replace Predatory Money Bail with a System Based on Public Safety:

https://www.arnoldventures.org/newsroom/governor-newsom-endorses-yes-on-prop-25-to-replace-predatory-money-bail-with-a-system-based-on-public-safety/

Laws Newsom Signed that are Dangerous to Public

Phase out of CA Juvenile Justice system: SB 823 (Budget, 2020) failed to acknowledge the serious mission changes and reforms DJJ has undergone over the past decade-and-a-half and the progress it has made in rehabilitating juvenile offenders. It also trampled on the rights of the victims of these offenders, and in many cases, will place offenders right back into close proximity with their victims.

Student Truancy and Disorderly Conduct: AB 901 (Gipson, 2020) will limit school districts' ability to refer students to probation officers and the courts over issues of truancy and insubordination. It removed sanctions for habitual disruptive behaviors that may be leading them toward delinquency. If we are going to have a compulsory educational system, then there simply has to be some penalty for disrupting the education of every other child.

Criminal Justice Fees: AB 1869 (Budget 2020) prohibited counties from collecting administrative fees charged to adults in the criminal justice system, such as for booking and arrest, work release programs, home detention, electronic monitoring, and public defenders.

AB 1290 (Durazo, 2020) eliminated unpaid outstanding balance of any county assessed or county ordered costs imposed, prior to January 1, 2018, related to various fees for juvenile care and adult home detention, electronic monitoring and drug testing. Counties are unable to collect on these fees thereby forcing county governments to eat these costs.

Probation Length of Terms: AB 1950 (Kamlager, 2020) reduced the maximum period of probation supervision for misdemeanor offenders to one year and for felony offenders to two years, a reduction from the existing three year maximum for misdemeanor offenders and the existing five year maximum (or the maximum sentence for the crime, whichever is greater) for felonies.

Handgun Microstamping: AB 2847 (Chiu, 2020) reduced the number of handgun models available for sale in California to citizens of this state. Since 2013, when microstamping was originally certified by the Attorney General, not one firearm has been added to the roster while hundreds have been removed. This bill increased that trend denying consumers the option to purchase, safer, more modern firearms while increasing black market sales.

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- \$31 billion payouts in fraudulent claims.
- \$1 billion payouts to criminals due to failure to cross-check claims with names of prison inmates.
- EDD froze 344,000 Bank of America debit cards due to fraud concerns but failed to have a plan to unfreeze accounts belonging to identified claimants, leading to a severe backlog of claims.
- By the end of 2021, California is projected to have a negative balance of \$50 billion in the state's unemployment funds. With no state unemployment funds, benefits will continue with federal loans, putting California in a \$50 billion debt.
- Hired a former prosecutor "to help crack down on unemployment fraud," the day before recall candidates were announced.



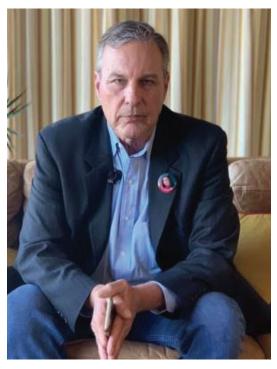
"I had no choice but to go on food stamps ... I would have a lot more respect for [NEWSOM] if he actually did something about what's going on. I mean, he made the decision to let out thousands of prisoners because he was worried about COVID. Why wasn't [he] doing more to solve the problems of good, decent, hard-working people."

- Lindsay Green, Santa Monica Democrat

"California had the resources to combat rampant fraud in these unemployment assistance programs and appears to have been warned repeatedly about the possibility of fraudulent unemployment assistance payments being made. Without any accountability mechanisms in place or plan to recover fraudulent COVID-related unemployment assistance payments, we fear that there will be a continued decline in taxpayers' faith in California's ability to administer other critical pandemic relief programs, such as vaccine distribution."

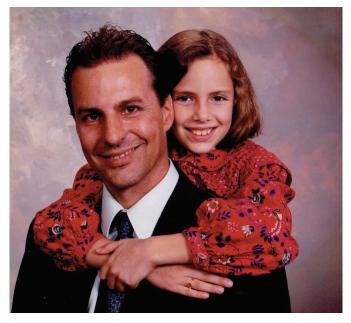
- U.S. Rep. Michelle Steel

MARC KLAAS



I have been a child safety and victims' rights advocate ever since the October 1, 1993, kidnap and murder of my 12-year-old daughter Polly. As the founder of the nonprofit KlaasKids Foundation, I have testified numerous times before federal and state legislatures. credits include the 1996 Democratic Speaking National Convention, death penalty debates at the New Yorker Festival, Trinity College in Dublin, IE, and a college tour with Unabomber's brother, David Kaczynski. I have given Keynote addresses numerous law enforcement and civilian conferences. Writing credits include two editorial opinion columns each in the San Francisco Chronicle, San Francisco Examiner, the San Diego Union Tribune, and the San Jose Mercury News. I have also written editorial opinion columns for the Cleveland Plain-Dealer, the Portland Oregonian, the Wyoming Tribune-Eagle, the Merced Sun-star, the Vallejo Times Herald, the Las

Vegas Review Journal, the Oakland Tribune, the Seattle Times, and the Los Angeles Daily News. I also published a death penalty article in Newsweek Magazine. On September 11, 2017, my most recent Op Ed appeared in Fox&Hounds. I have made hundreds of appearances on CNN, HLN, the FOX News Network, CNBC, and MSNBC. Other television credits include serving as host for five segments on American Journal, serving as host for two segments on Extra! and serving as host for one segment on Current Affair. I have appeared on all three network morning shows, The View, Oprah and most of the major television news magazine programs. I live in Sausalito, California, with my wife ,Violet.



STEVE HERR



I was born in Bronx, New York, June 21,1948, and raised in Freehold, New Jersey. I served as a United States Marine from 1967 to 1970. Then, I graduated from Monmouth College (now Monmouth University) in 1975. Soon after, I moved to California in 1976. I received a master's degree in 1990, taught special education for the Los Angeles Unified School District from 1979 to 2004, and then taught for the Orange Unified School District from 2004 to 2010.

I married Raquel in December of 1979 and my son, Sam, was born on May 29, 1983, which

was the best day in our lives. Sam was our only child. He was a decorated combat veteran and he served three years with the 173rd Airborne Brigade Combat Team. He then spent fifteen months in Afghanistan (Camp Keating). Sam's unit is mentioned in Jake Tapper's *The Outpost*.

In 2010, Sam and his friend, Julie Kibuishi, were brutally murdered. His murderer dismembered Sam's body and sexually defiled Julie after she was murdered.





FOR MORE INFORMATION PLEASE CONTACT: ANNE HYDE DUNSMORE (949) 474-0123 OR ANNE@RESCUECA2021.COM 3857 BIRCH STREET, #630 NEWPORT BEACH CA 92660

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