

Case No. S243855

SUPREME COURT
FILED

JUN 22 2018

Jorge Navarrete Clerk

**IN THE SUPREME COURT
OF THE STATE OF CALIFORNIA**

ASSOCIATION FOR LOS ANGELES DEPUTY SHERIFFS,
Petitioner

Deputy

vs.

SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE
COUNTY OF LOS ANGELES
Respondent

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT, et al.,
Real Parties in Interest

*On Review from the Court of Appeal for the Second Appellate District,
Division 8, Case No.: B280676
After an Appeal from the Superior Court of Los Angeles County
The Honorable James C. Chalfant presiding, Case No.: BS166063*

**MOTION REQUESTING JUDICIAL NOTICE ACCOMPANIED
WITH EXHIBITS OF THE CALIFORNIA ATTORNEYS FOR
CRIMINAL JUSTICE AS *AMICUS CURIAE*, FILED
CONCURRENTLY WITH *AMICUS* BRIEF IN SUPPORT OF REAL
PARTIES IN INTEREST, THE LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT**

*Alicia Virani
(Bar No. 281187)
Associate Director
Criminal Justice Program,
UCLA School of Law
405 Hilgard Avenue
Los Angeles, CA 90095
(310) 825-5216
Counsel for Amicus Curiae

Stephen K. Dunkle
(Bar No. 227136)
Chair, CACJ Amicus
Curiae Committee
125 E. De La Guerra St., Ste. 102
Santa Barbara, CA 93101
(805) 962-4887

MOTION REQUESTING JUDICIAL NOTICE

I. **AMICUS CURIAE REQUESTS THE COURT TAKE JUDICIAL NOTICE OF TWO DOCUMENTS**

Amicus Curiae hereby requests that this Court take judicial notice of the following documents pursuant to Evidence Code sections 452 (d) (1) and 459 and California Rules of Court, rules 8.520 (g) and 8.252:

1. The first page of a *Pitchess* motion filed by Deputy Public Defender Delia Metoyer of the Los Angeles Public Defender's Office in the Superior Court of the State of California, County of Los Angeles in the case *People v. Anthony White*, case no. TA132661. A true and correct copy of this document is attached to the Declaration of Alicia Virani as Exhibit A.
2. Court minutes from the Superior Court of the State of California, County of Los Angeles, regarding case no. TA132661, *People v. Anthony White*. A true and correct copy of this document is attached to the Declaration of Alicia Virani as Exhibit B.

II. **THE COURT MAY TAKE JUDICIAL NOTICE OF THESE TWO DOCUMENTS PURSUANT TO EVIDENCE CODE 452 SUBDIVISION (d) (1)**

Under Evidence Code section 452, subdivision (d) (1), a court may take judicial notice of the records of any court of this state. Minute orders are considered records of the court of this state. *Hart v. Darwish* (2017) 12 Cal.App.5th 218, 224 (“...the minute orders and transcripts are ‘records’ of a ‘court of this state.’”). Further, the *Pitchess* motion is also a record of the court of this state, as it was filed in the Superior Court of the State of California, County of Los Angeles.


Both documents are submitted for the court to illustrate the timing concerns that *amicus* has raised in the concurrently filed *amicus* brief

regarding *Pitchess*. The documents both show the progression of an actual case, that of Mr. Anthony White, once the *Pitchess* process has been set in motion. These documents were not previously presented to trial or appellate court, thus judicial notice of these documents was not previously requested and judicial notice has not yet been taken. The documents to be noticed do not relate to proceedings occurring after the order of judgement that is the subject of appeal.

For the reasons set forth above, *amicus* respectfully request that the Court grant its Motion and take judicial notice of these two documents.

Dated: May 2, 2018

Respectfully submitted,
Stephen K. Dunkle
CACJ Amicus Committee Chair
John T. Philipsborn
Alicia Virani

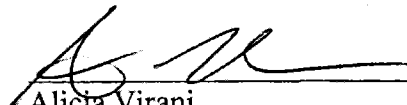
By 
Alicia Virani
As Counsel for CACJ

DECLARATION OF ALICIA VIRANI

1. I, Alicia Virani, am licensed to practice law in the State of California. I am the brief writer for the California Attorneys for Criminal Justice.
2. The Court may and should take judicial notice of the documents described in Paragraphs three and four of this declaration.
3. A true and correct copy of the first page of a *Pitchess* motion filed by Deputy Public Defender Delia Metoyer of the Los Angeles County Public Defender's Office in *People v. Anthony White*, case no. TA132661, is attached hereto as Exhibit 1.
4. A true and correct copy of court minutes of the Superior Court of the State of California, County of Los Angeles in *People v. Anthony White*, case no. TA132661, is attached hereto as Exhibit 2.

I declare under penalty of perjury that all the foregoing is true and correct.

Executed at Los Angeles, California on this 2nd day of May, 2018.


Alicia Virani
Attorney for *Amicus Curiae*

1 LAW OFFICES OF THE PUBLIC DEFENDER
2 RONALD L. BROWN, PUBLIC DEFENDER
3 Delia Metoyer, Deputy Public Defender
4 Bar No.: 207251
5 200 W. Compton Boulevard, Eighth Floor
6 Compton, CA 90220
7 Telephone: (310) 603-8052
8 Facsimile: (310) 604-9436
9 Attorney for Defendant

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JUN 24 2014
Sherri R. Carter, Executive Officer/Clerk
By Cristina Alvarez, Deputy

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10 THE PEOPLE OF THE STATE OF CALIFORNIA,) Case No. TA132661-01
11)
12 Plaintiff,) NOTICE OF MOTION
13) AND MOTION FOR
14 v.) PRETRIAL DISCOVERY
15) INCLUDING BOARD OF
16) RIGHTS
17 ANTHONY WHITE,) (*PITCHESSAND BRADY*)
18 Defendant.) Date: July 17, 2014
19) Time: 8:30 a.m.
20) Dept.: Q

21 TO: Los Angeles Police Chief Charlie Beck and his representatives:

22 Please take notice that on the 17TH day of July, 2014, at the hour of 8:30 a.m. in Department Q of the
23 above-entitled court, the defendant will move for an order directing you to give the materials herein described to
24 defendant's attorney:
25

26 (1) All complaints from any and all sources relating to acts of aggressive behavior, violence, excessive
27 force, or attempted violence or excessive, racial bias, gender bias, ethnic bias, sexual orientation bias, coercive
28 conduct, violation of constitutional rights, fabrication of charges, fabrication of evidence, fabrication of
29 reasonable suspicion and/or probable cause, illegal search/seizure; false arrest, perjury, dishonesty, writing of
30
31
32
33
34

XSC TCIS - CASE SUMMARY JUD DIST XSC
CASE# TA132661 DEF# 01 VIOL DT 032114 FILE DT 040914 TOTAL DEFTS 01
FIRST ANTHONY MID LAST WHITE SUFX
ADDR 632 E 95TH STREET CITY LOS ANGELES ZIP 90059 ST CA
DOB 05151979 SEX M HAIR BLK EYES BRO HGT 508 WGT 185 RACE B
ID#S: OLN B8499095 ST CA LPD 141800731 SSN 555579701 BKG 003902500
VLN ST FBI 924201XA5 MAIN 04526433 CII A30143475
AKA FIRST MID LAST SUFX
PROS ATTY STEVEN BELIS DA DEF ATTY DELIA MARIE METOYER PD
INFORMATION FILED 042314
BAIL-WRT INFO CU \$ 100000.00

PREV EVENT DOCKET LINE ENTRY ON 050515 IN SOUTH CE DPT CLK
NEXT EVENT PROCEEDINGS TERMINATED ON IN DPT
TOTAL DUE TO COURT \$ 70.00 BALANCE DUE \$ 70.00
--- CASE DISPOSITION --- TOTAL PRISON TIME 002 Y
CT VIOL TYPE DG PLEA DATE CODE PROB JAIL A/O FINE SCH LC
01 29800(A)(1) PC FF NC 103014 CON 002Y

FOR DETAIL DOCKET PRESS ENTER
PRINT DOCKET _ NXT CASE# _____

ADDTL CHARGES PRESS PA1
DEF# 01 * MCA1 *

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

NO. TA132661

PAGE NO. 1

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

CURRENT DATE 04/24/18

DEFENDANT 01: ANTHONY WHITE

LAW ENFORCEMENT AGENCY EFFECTING ARREST: LAPD - SOUTHEAST AREA

BAIL: APPEARANCE	AMOUNT	DATE	RECEIPT OR	SURETY COMPANY	REGISTER
DATE	OF BAIL	POSTED	BOND NO.		NUMBER

CASE FILED ON 04/09/14.

INFORMATION FILED ON 04/23/14.

OFFENSE(S):

COUNT 01: 29800(A)(1) PC FEL

COMMITTED ON OR ABOUT 03/21/14 IN THE COUNTY OF LOS ANGELES

NEXT SCHEDULED EVENT:

04/23/14 830 AM ARRAIGNMENT DIST SOUTH CENTRAL DISTRICT DEPT SCQ

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 2
DATE PRINTED 04/24/18

ON 04/23/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR ARRAIGNMENT

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)
YESENIA MONTALVO (REP) EDWIN S. WAKABAYASHI (DA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY
PUBLIC DEFENDER APPEARING BY JAMIE MARCUS

INFORMATION FILED AND THE DEFENDANT IS ARRAIGNED.

DEFENDANT STATES HIS/HER TRUE NAME AS CHARGED.

DEFENDANT WAIVES ARRAIGNMENT, READING OF INFORMATION/INDICTMENT, AND STATEMENT
OF CONSTITUTIONAL AND STATUTORY RIGHTS.

DEFENDANT PLEADS NOT GUILTY TO COUNT 01, 29800(A)(1) PC.

-BKG #3902500

THE MATTER IS CALLED FOR HEARING AND IS HELD.

DEFENDANT DENIES ANY AND ALL ALLEGATIONS.

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 3
DATE PRINTED 04/24/18

THE COURT SETS THE MATTER FOR PRETRIAL AND JURY TRIAL ON THE
DATE AND TIME INDICATED BELOW.

FINGERPRINT FORM IS COMPLETED AND FILED THIS DATE.
BAIL SET AT \$100,000.
NEXT SCHEDULED EVENT:
05/23/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ
NEXT SCHEDULED EVENT :
06/20/14 830 AM JURY TRIAL DIST SOUTH CENTRAL DISTRICT DEPT SCD

CUSTODY STATUS: DEFENDANT REMANDED

ON 05/23/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR PRETRIAL CONFERENCE

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 4
DATE PRINTED 04/24/18

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)
AMY SAYLOR (REP) EDWIN S. WAKABAYASHI (DA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY
PUBLIC DEFENDER
BAIL SET AT \$100,000
-BKG #3902500

.
THE MATTER IS CALLED FOR HEARING AND IS HELD.

.
ON DEFENSE COUNSEL'S ORAL MOTION THE MATTER IS CONTINUED TO
JUNE 24, 2014 AT 8:30 A.M. IN THIS DEPARTMENT.

.
THE JURY TRIAL DATE OF JUNE 20, 2014 IS ADVANCED AND VACATED
THIS DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
06/24/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 5
DATE PRINTED 04/24/18

CUSTODY STATUS: DEFENDANT REMANDED

ON 06/24/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR PRETRIAL CONFERENCE

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)
YESENIA MONTALVO (REP) STEVEN BELIS (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY
PUBLIC DEFENDER

BAIL SET AT \$100,000

-BKG #3902500

THE MATTER IS CALLED FOR HEARING AND IS HELD.

ON DEFENSE COUNSEL'S ORAL MOTION THE MATTER IS CONTINUED TO THE

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 6
DATE PRINTED 04/24/18

DATE AND TIME INDICATED BELOW IN THIS DEPARTMENT.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:

07/17/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ

CUSTODY STATUS: DEFENDANT REMANDED

ON 07/02/14 AT 1100 AM :

OPPOSITION TO MOTION FOR PRETRIAL DISCOVERY (PITCHES AND
MOTION); MEMORANDUM OF POINTS AND AUTHORITIES IS RECEIVED AND
FILED THIS DATE.

(PROPOSED) PROTECTIVE ORDER RE: DISCLOSURE OF CONFIDENTIAL
INFORMATION IS RECEIVED THIS DATE.
PRETRIAL CONFERENCE

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 7
DATE PRINTED 04/24/18

ON 07/17/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR PRETRIAL CONFERENCE

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)
YESENIA MONTALVO (REP) STEVEN BELIS (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY
PUBLIC DEFENDER

BAIL SET AT \$100,000

-BKG #3902500

THE MATTER IS CALLED FOR HEARING AND IS HELD.

LOS ANGELES CITY ATTORNEY, ANNETTE LEE, IS PRESENT FOR THE LOS
ANGELES POLICE DEPARTMENT.

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 8
DATE PRINTED 04/24/18

.
THE COURT STATES THAT IT HAS READ AND CONSIDERED THE PITCHESS
AND OPPOSITION FILED.

.
THE PITCHESS MOTION IS HEARD, ARGUED, AND GRANTED.

.
THE MATTER IS CONTINUED FOR AN IN CAMERA HEARING ON
JULY 24, 2014 AT 8:30 A.M. IN THIS DEPARTMENT.

.
THE PEOPLE STATE THAT THEIR 3 YEAR OFFER SHALL REMAIN OPEN UNTIL
THE NEXT HEARING.

NEXT SCHEDULED EVENT:

07/24/14 830 AM IN CAMERA HEARING DIST SOUTH CENTRAL DISTRICT DEPT SCQ

CUSTODY STATUS: DEFENDANT REMANDED

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 9
DATE PRINTED 04/24/18

ON 07/24/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR IN CAMERA HEARING

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)
YESENIA MONTALVO (REP) STEVEN BELIS (DA)

THE DEFENDANT FAILS TO APPEAR, WITH SUFFICIENT EXCUSE. (MISS-OUT) AND
REPRESENTED BY DELIA MARIE METOYER DEPUTY PUBLIC DEFENDER APPEARING BY JAMIE
MARCUS

BAIL SET AT \$100,000
-BKG #3902500

EXCELL SEATON, CUSTODIAN OF RECORDS FOR THE LOS ANGELES POLICE
DEPARTMENT IS PRESENT IN COURT THIS DATE.

IN-CAMERA PITCHESS HEARING IS HELD AND THE COURT FINDS THAT
THERE ARE DISCOVERABLE MATERIALS AND ARE TO BE
TURNED OVER ON 08/07/14.

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 10
DATE PRINTED 04/24/18

THE MATTER IS SET FOR FURTHER PRE-TRIAL ON THE DATE AND TIME
INDICATED BELOW IN THIS DEPARTMENT.

PROTECTIVE ORDER GOVERNING COURT ORDERED DISCLOSURE OF
CONFIDENTIAL PERSONNEL RECORDS IS SIGNED AND FILED THIS DATE.
COUNSEL FOR THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT IS
GIVEN A CONFORMED COPY IN OPEN COURT.

NEXT SCHEDULED EVENT:

07/28/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ

CUSTODY STATUS: DEFENDANT REMANDED

ON 07/28/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR PRETRIAL CONFERENCE

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 11
DATE PRINTED 04/24/18

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)
YESENIA MONTALVO (REP) STEVEN BELIS (DA)

DEFENDANT IS PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL

DEFENDANT APPEARS IN PRO PER

COURT ADVISES DEFENDANT THAT SELF-REPRESENTATION IS ALMOST ALWAYS AN UNWISE CHOICE, AND WILL NOT WORK TO HIS ADVANTAGE; FURTHER, THAT HE WILL NOT BE HELPED OR TREATED WITH SPECIAL LENIENCY BY THE COURT OR THE PROSECUTOR, AND THAT HE WILL BE HELD TO THE SAME STANDARDS OF CONDUCT AS AN ATTORNEY. FURTHER, IF HE WISHES TO REPRESENT HIMSELF, HE WILL NOT BE ABLE TO CLAIM LATER THAT HE MADE A MISTAKE, OR THAT HE RECEIVED INEFFECTIVE ASSISTANCE OF COUNSEL.

COURT FINDS THAT THE DEFENDANT VOLUNTARILY AND INTELLIGENTLY CHOOSES SELF-REPRESENTATION, AND THAT HE KNOWINGLY, INTELLIGENTLY, UNDERSTANDINGLY, AND EXPLICITLY WAIVES HIS RIGHT TO COUNSEL, AND DETERMINES THAT DEFENDANT IS COMPETENT TO REPRESENT HIMSELF.

-BKG #3902500

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 12
DATE PRINTED 04/24/18

THE MATTER IS CALLED FOR HEARING AND IS HELD.

DEFENDANT'S ORAL MOTION TO REPRESENT HIMSELF IS HEARD AND GRANTED.

ADVISEMENT AND WAIVER OF RIGHT TO COUNSEL (FARETTA WAIVER) IS SIGNED, RECEIVED AND FILED THIS DATE.

DEFENDANT'S MARSDEN MOTION IS HEARD, ARGUED, AND DENIED.

THE COURT ORDERS THE MARSDEN MOTION PROCEEDINGS TRANSCRIPT SEALED.

DEFENSE COUNSEL TURNS OVER DISCOVERY TO THE DEFENDANT IN OPEN COURT.

THE MATTER IS TRAILED TO AUGUST 8, 2014 FOR PRETRIAL HEARING.

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 13
DATE PRINTED 04/24/18

THE JURY TRIAL DATE IS SET FOR AUGUST 15, 2014 AS DAY 29 OF 30
IN DEPARTMENT SC-D AT 8:30 A.M.
BAIL SET AT \$100,000.
NEXT SCHEDULED EVENT:
08/08/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ
NEXT SCHEDULED EVENT :
08/15/14 830 AM JURY TRIAL DIST SOUTH CENTRAL DISTRICT DEPT SCD

CUSTODY STATUS: DEFENDANT REMANDED

ON 08/08/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR PRETRIAL CONFERENCE
PARTIES: ELEANOR J. HUNTER (JUDGE) STACEY VICKERS (CLERK)
KATHY L. GIANGRANDE (REP) STEVEN BELIS (DA)

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 14
DATE PRINTED 04/24/18

DEFENDANT IS PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL
DEFENDANT APPEARS IN PRO PER
BAIL SET AT \$100,000

*****DEPARTMENT Q CALENDAR HEARD IN DEPARTMENT G*****

PRE-TRIAL CONFERENCE IS CONTINUED TO 8/28/14 AT 8:30 A.M. IN
DEPARTMENT Q. (0/15)

HEARING DATE OF 8/15/14 IS ADVANCED AND VACATED.
COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

08/28/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ

CUSTODY STATUS: DEFENDANT REMANDED

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 15
DATE PRINTED 04/24/18

ON 08/28/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR PRETRIAL CONFERENCE

PARTIES: ALLEN J. WEBSTER JR. (JUDGE) CRISTINA ALVAREZ (CLERK)
DIANA CONSTANCIO (REP) DAVID V. ZYGIELBAUM (DA)

DEFENDANT DEMANDS COUNSEL.

COURT REFERS DEFENDANT TO THE PUBLIC DEFENDER.

PUBLIC DEFENDER APPOINTED. DELIA MARIE METOYER - P.D.

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY
PUBLIC DEFENDER

-BKG #3902500

THE MATTER IS CALLED FOR HEARING IN DEPARTMENT SC-E FOR SC-Q
AND IS HELD.

DEFENDANT'S REQUEST TO HAVE THE PUBLIC DEFENDER'S OFFICE

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 16
DATE PRINTED 04/24/18

APPOINTED IS GRANTED.

DEFENSE COUNSEL'S ORAL MOTION TO CONTINUE THE MATTER TO THE
DATE AND TIME INDICATED BELOW IS GRANTED.
BAIL SET AT \$100,000.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
10/02/14 830 AM PRETRIAL CONF/995 PC MOTION DIST SOUTH CENTRAL DISTRICT
DEPT SCQ

CUSTODY STATUS: DEFENDANT REMANDED

ON 10/02/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

CASE CALLED FOR PRETRIAL CONF/995 PC MOTION
PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

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DATE PRINTED 04/24/18

YESENIA MONTALVO (REP) STEVEN BELIS (DA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY
PUBLIC DEFENDER
BAIL SET AT \$100,000
-BKG #3902500

THE MATTER IS CALLED FOR HEARING AND IS HELD.

ON DEFENSE COUNSEL'S ORAL MOTION THE MATTER IS TRAILED TO THE
DATE AND TIME INDICATED BELOW IN THIS DEPARTMENT.
NEXT SCHEDULED EVENT:

10/16/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ

CUSTODY STATUS: DEFENDANT REMANDED

ON 10/16/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

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DATE PRINTED 04/24/18

CASE CALLED FOR PRETRIAL CONFERENCE

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)
YESENIA MONTALVO (REP) STEVEN BELIS (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY
PUBLIC DEFENDER

BAIL SET AT \$100,000

-BKG #3902500

THE MATTER IS CALLED FOR HEARING AND IS HELD.

ON DEFENSE COUNSEL'S ORAL MOTION THE MATTER IS CONTINUED TO THE
DATE AND TIME INDICATED BELOW IN THIS DEPARTMENT.

THE COURT ORDERS THIS SHALL BE THE LAST CONTINUANCE. ANY
FURTHER CONTINUANCES SHALL BE REQUESTED IN DEPARTMENT SC-D.
WAIVES STATUTORY TIME.

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 19
DATE PRINTED 04/24/18

NEXT SCHEDULED EVENT:

10/30/14 830 AM PRETRIAL CONFERENCE DIST SOUTH CENTRAL DISTRICT DEPT SCQ

CUSTODY STATUS: DEFENDANT REMANDED

ON 10/30/14 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCQ

NUNC PRO TUNC ORDER PREPARED. IT APPEARING TO THE COURT THAT THE MINUTE ORDER IN THE ABOVE ENTITLED ACTION DOES NOT PROPERLY REFLECT THE COURT'S ORDER. SAID MINUTE ORDER IS AMENDED NUNC PRO TUNC AS OF THAT DATE. ALL OTHER ORDERS ARE TO REMAIN IN FULL FORCE AND EFFECT. DETAILS LISTED AT END OF THIS MINUTE ORDER. CASE CALLED FOR PRETRIAL CONFERENCE

PARTIES: LAURA R. WALTON (JUDGE) CRISTINA ALVAREZ (CLERK)

YESENIA MONTALVO (REP) STEVEN BELIS (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DELIA MARIE METOYER DEPUTY PUBLIC DEFENDER

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 20
DATE PRINTED 04/24/18

DEFENDANT STATES HIS/HER TRUE NAME AS CHARGED.
DEFENDANT ADVISED OF THE FOLLOWING RIGHTS ORALLY:
DEFENDANT ADVISED OF AND PERSONALLY AND EXPLICITLY WAIVES THE FOLLOWING RIGHTS:
TRIAL BY COURT AND TRIAL BY JURY

CONFRONTATION AND CROSS-EXAMINATION OF WITNESSES;
SUBPOENA OF WITNESSES INTO COURT TO TESTIFY IN YOUR DEFENSE;
AGAINST SELF-INCRIMINATION;

DEFENDANT ADVISED OF THE FOLLOWING:

THE NATURE OF THE CHARGES AGAINST HIM, THE ELEMENT OF THE OFFENSE IN THE
INFORMATION AND POSSIBLE DEFENSES TO SUCH CHARGES;
THE POSSIBLE CONSEQUENCES OF A PLEA OF GUILTY OR NOLO CONTENDERE, INCLUDING
THE MAXIMUM PENALTY AND ADMINISTRATIVE SANCTIONS AND THE POSSIBLE LEGAL
EFFECTS AND MAXIMUM PENALTIES INCIDENT TO SUBSEQUENT CONVICTIONS FOR THE
SAME OR SIMILAR OFFENSES;
THE EFFECTS OF PROBATION;
IF YOU ARE NOT A CITIZEN, YOU ARE HEREBY ADVISED THAT A CONVICTION OF THE
OFFENSE FOR WHICH YOU HAVE BEEN CHARGED WILL HAVE THE CONSEQUENCES OF

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

CASE NO. TA132661
DEF NO. 01

PAGE NO. 21
DATE PRINTED 04/24/18

DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF
NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.
THE COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND
EXPLICITLY MADE; COUNSEL JOINS IN THE WAIVERS
THE DEFENDANT PERSONALLY WITHDRAWS PLEA OF NOT GUILTY TO COUNT 01 AND PLEADS
NOLO CONTENDERE WITH THE APPROVAL OF THE COURT TO A VIOLATION OF SECTION
29800(A)(1) PC IN COUNT 01. THE COURT FINDS THE DEFENDANT GUILTY.
COUNT (01) : DISPOSITION: CONVICTED
COURT FINDS THAT THERE IS A FACTUAL BASIS FOR DEFENDANT'S PLEA, AND COURT
ACCEPTS PLEA.

NEXT SCHEDULED EVENT:

SENTENCING

DEFENDANT WAIVES ARRAIGNMENT FOR JUDGMENT AND STATES THERE IS NO LEGAL CAUSE
WHY SENTENCE SHOULD NOT BE PRONOUNCED. THE COURT ORDERED THE FOLLOWING
JUDGMENT:

IMPRISONED IN STATE PRISON FOR A TOTAL OF 2 YEARS
AS TO THE BASE COUNT (01):

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

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COURT ORDERS PROBATION DENIED.

SERVE 2 YEARS IN ANY STATE PRISON

COURT SELECTS THE MID TERM OF 2 YEARS AS TO THE BASE TERM COUNT 01.

DEFENDANT GIVEN TOTAL CREDIT FOR 446 DAYS IN CUSTODY 223 DAYS ACTUAL CUSTODY
AND 223 DAYS GOOD TIME/WORK TIME

FORTHWITH

PLUS \$40.00 COURT OPERATIONS ASSESSMENT (PURSUANT TO 1465.8(A)(1) P.C.)

\$30.00 CRIMINAL CONVICTION ASSESSMENT (PURSUANT TO 70373 G.C.)

COMMITMENT ISSUED

TOTAL DUE: \$70.00

IN ADDITION:

-THE DEFENDANT IS TO PAY A RESTITUTION FINE PURSUANT TO SECTION
1202.4(B) PENAL CODE IN THE AMOUNT OF \$ 300.00.

-THE DEFENDANT IS TO PAY A PAROLE/POSTRELEASE COMMUNITY
SUPERVISION/MANDATORY SUPERVISION RESTITUTION FINE PURSUANT TO
SECTION 1202.45 PENAL CODE IN THE AMOUNT OF \$ 300.00 SAID FINE
IS ORDERED STAYED UNLESS PAROLE, POSTRELEASE COMMUNITY

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SUPERVISION OR MANDATORY SUPERVISION IS REVOKED.

-DO NOT OWN, USE OR POSSESS ANY DANGEROUS OR DEADLY WEAPONS,
INCLUDING ANY FIREARMS, KNIVES OR OTHER WEAPONS.

COURT ORDERS AND FINDINGS:

-PURSUANT TO PC SECTION 296, THE DEFENDANT IS ORDERED TO PROVIDE
BUCCAL SWAB SAMPLES, A RIGHT THUMB PRINT, A FULL PALM PRINT
IMPRESSION OF EACH HAND, ANY BLOOD SPECIMENS OR OTHER BIOLOGICAL
SAMPLES AS REQUIRED BY THIS SECTION FOR LAW ENFORCEMENT
IDENTIFICATION.

THE MATTER IS CALLED FOR HEARING AND IS HELD.

THE COURT READS AND CONSIDERS THE PROBATION OFFICER'S REPORT.

COUNT (01): DISPOSITION: CONVICTED

DMV ABSTRACT NOT REQUIRED

NEXT SCHEDULED EVENT:

PROCEEDINGS TERMINATED

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ON 11/04/14 AT 830 AM :

ABSTRACT COMPLETED. BM
PROCEEDINGS TERMINATED

03/13/15 ARREST DISPOSITION REPORT SENT VIA FILE TRANSFER TO DEPARTMENT OF
JUSTICE

ON 05/05/15 AT 830 AM :

SENT CERTIFIED COPIES OF COMPLAINT, MINUTE ORDER, TAHL WAIVER,
AND ABSTRACT OF JUDGMENT.
AD
PROCEEDINGS TERMINATED

FOR ADDITIONAL INFORMATION PRESS PA1 KEY

* MCAS *

