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CITING OFF / AGENCY MPD
Nature of Hearing SJT

CASE NO. 1490008
DATE 02/16/2016 STATUS

People vs. MARTINEZ, MARTIN, Defendant JUDGE CORDOVA, RICARDO Dept. 8

Charges F PC 187(A), F PC 273AB(A)
D.A. Rees, Mary Clerk GOMEZ, GLORIA Reporter Jcast Bailiff Prob. Off.

PD / CF I / CF II / Def. Atty: Sanchez Def. pres. NOT pres. IC other case ankle mon. parole hold by video
 SP. APP. Ret. Apptd INTERP: Lang: Cert. / Non-Cert. Sworn/Oath on file Cert. of Unavail filed
 Qualified/Good cause appt. beyond time allowed Waiver of cert. interp/Obj. to Non-cert. Stip to Comm./Pro Tem EDR/Taped
 TIME WAIVED 10/60 TIME NOT WAIVED 10 DAYS TOLLED Good Cause to Cont. Arb. Waiver PC 977 Waiver filed

NEXT APPEARANCE DATE: 3-21-16 TIME: 8:30 AM / PM DEPT: 8 Def. ordered to appear / excused
OTHER APPEARANCE DATE: TIME: AM / PM DEPT: Def. ordered to appear / excused
OTHER APPEARANCE DATE: TIME: AM / PM DEPT: Def. ordered to appear / excused

NEXT APPEARANCE: for POC Case # To be Set for VOP ARR/HRG
 JT OR / Bail Rev. Contested viol. of Adm / Deny Viol. of Prob. / Mand. Sup. / PRCS
 Fur Arr. Set JT CT Sent./Credits Surr DV Cal. PC 1368 / 1370 WI 3051 Dr's Report CONREP Report
 Appt / Obt Co. FPT PX MH Cr. Prop 36 Drug Cr. Def. Jdmt 1 2 3 Rev VACATE
 EOP PT TRC Prob. Modif Trail # L&M
 LNC NO COMPLAINT FILED DA TO FILE BY NEXT DATE REFER TO DA FOR AFF. / ARREST WARRANT
Assigned to Judge Dept. for all purposes. CCP 170.6 / 170.3 filed by Judge / Peo/Def. against

TRIAL STATUS / MOTIONS / COUNSEL / ARRGN / PLEA / PROBATION VIOLATION

No dispo. matter confirmed/set for JT / PX / PT / L&M / Contested VOP Time Estimate Mir/Hrs/Days/Weeks Mot(s) in Limine est. Hrs./Days
 Motion of Court D.A. Prob Defense Cont'd futh. inv. add'l disc. to ret. co.
 People Defense Object No oppos. Motion is Granted Denied Continued Dropped
COUNSEL: Court appts PD CF I CF II Advised purs PC 987.8 Def. waives Co. Advised purs Faretta
 Def. Co. declares conflict is discharged / relieved Disco. Tendered subs. in as Def. Co.

ARR. / PLEA: Amended Complaint Infor. Disc. Stip Lodged Filed Formal Arr. Waived Def. Arrgn'd. True name as charged
 Complaint / Information amended on face to reflect:
 Def. moves to change plea Defendant advised of Immig. Rts given and could result in deportation, exclusion or denial of naturalization
 waives his Constitutional rights per Watson 23593 VC re VOP Adv. Priorable Def. enters a plea of GUILTY
 NOLO CONTENDERE NOT GUILTY NOT GUILTY / NGI to Ct(s):

Peo. v. West as a lesser included / related offense to Ct(s) Harvey Waiver entered re Case / Ct(s)
 Based upon plea of NOLO CONTENDERE, Court finds Defendant GUILTY of Ct(s) Viol. of Prob. / Mand. Sup. / PRCS DROPPED
 Court finds Def. has made an intelligent waiver of his rights; plea was freely and voluntarily made; and there is a factual basis for the plea.
Def. admits denies Priors Enh Sp. / Refusal Alleg.
 Stricken: Priors Enh. Sp / Refusal Alleg. CASE / CT(S) BAL. DISM. / IOJ / ISE
 Refer to Prob. / Prop. 36 / Drug Ct. / MH Ct. to det. CTS for pre-plea / Sent. Rpt. Ind. Sent.
VOP: Def. admits/denies VOP Court finds Prob Cause Def. is / is NOT in VOP as alleged No VOP for plea in #
 For FTA at: Court / Jail on Prob / Prop 36 / Counseling / Comm. Service / Lev I / II Use / poss. cont. sub.
 Failure to: Pay Restitution Obey all laws Provide curr./change of address Re-refer / Re-enroll In Compliance

DEFERRED JUDGMENT / DRUG COURT / PROP. 36 / DOMESTIC VIOLENCE REVIEW

Judgment Deferred pur. PC1000 Pend. Drug Court Completion Enroll in PC 1000.90 \$
 Div. Admin. Fee \$ Show PROOF OF ENROLLMENT shown Cont'd to Show Proof of Completion Contact treatment provider
 W/I days/hrs. Ref. to Drug Ct. / M.H. Ct. Granted as to Ct(s) / Denied / Rejected Released purs. to Drug Ct. contract
 Def. Jdmt rein/ext. mos. Re-ref. for Def. Jdmt. Def. Jdmt / Prop 36 / Drug Ct./MH Cr. success. completed. / inelig. / deleted terminated
 Def. Jdmt / Prop 36 / Drug Ct / MH Cr. continued to pay fees for final review No new law viol., plea of GUILTY/NOLO set aside
 Jail release to Prob / BHRS / MH for entry into Jail please dress out Defendant for next appearance.

SENTENCING / PRISON / PROBATION / POST RELEASE SUPERVISION

Report From: Prob. Waived re Sentencing CRC / Doctor(s) / VMRC / CONREP / Other Rec'd & Consid'd Submit'd
 IT IS ORDERED: PROB. / PRCS / MAND. SUPV. IS / REMAINS GRANTED DENIED REV. REIN. MOD. TERM.
 EXTENDED TO Prob. to prepare 1203c report. Def. is sentenced to State Prison:
Order re: notice of consideration of electronic access served on party's 2-16-16
 Pursuant to 1170(h)(5)(A)/(B) to a total term of mths./yrs.; mths./yrs. county jail; mths./yrs. susp'd.; mandatory supervision
 Execution Imposition of sentence is susp. Def. admitted to FORMAL INFORMAL probation for a period of years months
 Add'l. conditions of prob./post rel. suprvs. imposed as set forth and filed this date. As a condition precedent to being released to probation:
 Def. shall serve a term of hrs/days cs cc to: Total Days: days suspended Pend. Drug Ct. / Prob.
 Def. awarded credits of days, plus days good/work time credits; total of days.
 Stay of execution granted ext'd until at / by AM / PM Surrender to Jail PSC Dept. #
FEES/FINES: PC 1202.4(b)/PC 1202.44/45 \$ payable through Prob. DOC Revenue Recovery Prob. Mgt Fee up to \$50
 Booking Fee \$88.26 Cite Fee \$10.00 Atty Fees \$ payable through Revenue Recovery Fine \$ with
\$ CTS. Emergency Med. fee \$4.00 C.A.F. \$ GC 70373 Court Oper. Assess. \$ PC 1203.097 fee \$
 \$25 Admin. Screen Fee PC 1463.07, payable through Prob. Rev. Rec.
 Submit to DNA/Testing pursuant to: PC 1202.6 / PC 1202.1 / PC 296 Def. given copy of PC 1202.6 test Retest at Pub. Health by
 HS 11372.5 Lab Fee, w/pen. assess. \$135.00 HS 11372.7 Drug Ed. Fee \$150.00 \$70 AIDS Ed. Fee PC 1202.5 fine \$
 Pay victim restitution [PC 1202.4(E)] of \$ to Appeal Rts given / waived

1368 PC / 3051 WI PROCEEDINGS

CRIM. PROC. Remain SUSP. REIN. RE PC 1368 / PC 1369(a) / WI 3051 Ref. to BHRS / Dr.(s)
 Ref. to CONREP for exam & rpt. VMRC DBHC for In-patient Comp. Restor. Prog. including meds. SO trans. To DBHC / back to Court
 Ref. for meds. eval. Court finds Def. Incompet. / Devel. Disabled / compet. Def. waives ref. to doctor and any irreg., all parties stip. to prov. of
WI 3051 & Court finds Def. falls under prov. of WI 3051 Def. comm. to CRC / Napa / Atascadero / Patton for a max term of:

BAIL / OR / BENCH WARRANT / ARREST WARRANT

Def. FTA Bail forf. In open court OR revk'd Good cause not to forf. bail / not to rev'k OR / prob.
 BENCH WARRANT ISSUED, day/night service Bail set at \$ Exonerated / Reduced / Increased to \$
 Forf. set aside/bail rein. Pay \$50 admin. fee B/W stayed B/W RECALLED OR reinst. OSC issued Surr letter to issue
 Do Not O.R./Cite Dropped from cal., B/W remains out Do not recalendar. \$75 fee for FTA ARREST WARR.

SPECIAL TERMS REGARDING OR / BAIL RELEASE / SENTENCING

Register pursuant to H&S 11590 / PC 290 / PC 457.1 / PC 186.30 DO NOT drive unless properly licensed and insured.
 DO NOT: Contact Annoy, harass, molest, strike, harm, phone, stalk, assault, disturb the peace of be within 100 yards of the residence / employment of alleged victim except for peaceful / lawful child visitation.
 DO NOT USE / POSSESS: alcohol drugs/drug paraph. Do not be in / about place where alcoh. is sold Shall not assoc. w/ known users Submit your person, home, & vehicle to search for alcohol drugs/drug paraph. firearms deadly weapons
 stolen property Hrs. community service
 Attend AA / NA meetings times per week. Show proof to attend. at each court hearing.

CUSTODY: Defendant released on Bail OR PC 1320 ADVISED Probation Mand. Supv. Parole PRCS Discharged this case
 Bail currently set at \$ 5m Def. remanded to the custody of the Sheriff to serve original sent. / VOP
 for delivery to NKSP CCWF CRC Atascadero Napa Patton BUT NOT BEFORE
 DEF. REPORT NOW Window "A" WITHIN / BY days of Release to Prob. Rev. Recov. Pub. Def. CF I / CF II Lev I / Lev II

Surrender date of is VACATED.
 Hearing still pending, DO NOT TRANSPORT TO CDCR

Address: _____

DOB: _____

SSN: _____

OWN RECOGNIZANCE AGREEMENT

I, THE DEFENDANT, BEING RELEASED ON MY OWN RECOGNIZANCE, AGREE THAT:

(a) I will appear at all times and places as ordered by the Court or magistrate releasing me and ordered by any Court in which, or any magistrate before whom, the charge is subsequently pending; (b) If I fail to so appear and am apprehended outside the State of California, I waive extradition; (c) I will not depart this State without leave of Court; (d) I have been advised that if I, in order to evade the process of the Court, willfully fail to appear as required, I am guilty of a misdemeanor if the above offense is a misdemeanor and am guilty of a felony if the above offense is a felony; and it shall be presumed that I intended to evade the process of the Court if I willfully fail to appear within 14 days of the date assigned for my appearance. I understand I may be punished by a fine of \$1,000 or six months in jail or both for a misdemeanor and I may be punished by a fine of \$10,000 or sentenced to County Jail for one year or to State prison for 16 months, or 2 or 3 years, or by such fine and imprisonment for a felony.

I agree to, understand, and will perform all the terms and conditions of the Own Recognizance Agreement.

EXECUTED ON: _____

(Date)

Defendant's Signature _____

MISDEMEANOR PROBATION STANDARD TERMS

IT IS ORDERED BY THE COURT that the Defendant Shall: 1) Obey all laws, also the Orders and Rules of the Probation Officer and ALL courts; 2) Shall within 24 hours, notify the court of any change of address;

IF FORMAL PROBATION you also Shall: 1) Report in person to the Probation Officer at 801 11th Street, Modesto, CA between the 1st and 15th day of each month, unless otherwise directed by the Probation Officer, and in any case, within 14 days from release from custody; 2) Shall, within 24 hours, notify the Probation Officer of any change of address.

IT IS FURTHER ORDERED, but not as a condition of probation, that you Shall: Pay ALL applicable fees and costs as agreed upon with Probation Department, based on ability to pay.

PROBATION ORDER AGREEMENT

I agree to, understand and have received a copy of the within Probation Order and agree with and will perform all the terms and conditions thereof. I also understand that, upon satisfactory completion of probation, I may apply to the Court to have my conviction set aside pursuant to Section 1203.4 of the Penal Code. Keep Probation/ Drug Court advised of current address.

EXECUTED ON: _____

(Date)

Defendant's Signature _____

I certify that I served the within warrant by arresting the named defendant on _____

Signature and ID# of officer _____

Agency _____

BENCH WARRANT: To Any Peace Officer in the State: A complaint filed in the above court against the above defendant for the above offense(s), and said defendant failed to appear as required was admitted to probation and probation was revoked was admitted to mandatory supervision and mandatory supervision was revoked was admitted to Post Release Community Supervision and P.R.C.S. was revoked. You are commanded to arrest and bring said defendant before this Court. Upon arrest, bail may be posted as indicated on reverse side.

- FAILED TO APPEAR AT ARRAIGNMENT
- SUPERIOR COURT FTA
- DO NOT RELEASE ON PROMISE TO APPEAR
- WARRANT ENDORSED FOR NIGHT SERVICE



Dated _____ Signature of Judge _____