

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

DEFENDANT COPY

4/12/13 8/10/13

Case # 2012-63 Date: 5/31/13 Time: 0130 Courtroom # 2 1st App: Target:
Judge: Virginia G. Marcoida Reporter: Sworn Interpreter: [INT]
Deputy D.A.: KCS Clerk: Eva Usborn [112] Interpreter needed next date
PEOPLE VS. [DE 1]
HA N

Agency # CHP-12 W DDL: CA A 0 DOB: 3/2/7
Charges: 1) M 23152(a) VC 2) M 23152(b) VC

A NATURE OF PROCEEDINGS: CHANGE OF PLEA

DEFENDANT [1] present [2] not present [3] present in custody [4] not present in custody [A] pro per [5] Waiver of personal appearance filed
[6] Pub. Def. [7] appointed [A] PD reg fee [8] relieved [21] True name is Oral Amador Cortez
[9] Defense Csl. [10] generally [11] relieved [22] Defendant advised of charges/allegations
[12] Conflict Csl. [23] Stipulates to arraignment [24] Advised of constitutional rights
[13] assigned [14] appointed [A] reg fee [15] relieved Waives [25] reading [26] further advisement of rights
[16] Complaint filed [17] Amended complaint filed **Complaint not filed** [27] Defendant discharged [28] Continued for complaint
[18] Defense provided with [A] Complaint [B] Report [C] Cite [29] Mutual discovery granted by [30] Judge recuses self per 170.1 CCP
[19] Complaint amended to [31] 170.6 CCP filed re: Judge by [A] DA [B] Defense
[20] Charge(s) amended to add + 3) M 23103.5 VC P.O. [32] present [A] gives oral report
[33] City Attorney present
[34] Criminal Protective Order [A] issued & filed [B] vacated [C] served

B BAIL/CUSTODY STATUS

DEFENDANT [1] REMANDED [2] RELEASED FROM CUSTODY
[3] forfeited [4] reinstated [5] exonerated [7] reinstated and exon
[8] Bench warrant to issue per Bail \$
Do not [9] cite out/release on OR [10] recalendar
[11] Bail may be forfeited in lieu of appearance [12] EXECUTION STAYED
Declaration & warrant to be prepared by [13] DA [14] City Attorney
WARRANT [15] RECALLED [18] remains out
[19] Bail set \$ [A] as set [20] NO BAIL
Bail [21] increased to \$ [22] reduced to \$
Mtn. for [24] OR [25] Sup. OR [A] granted [B] denied [C] conditions attached
[26] OR [27] Sup. OR [A] reinstated [B] revoked [C] terminated [D] continued
[28] Summary judgment extended to
[29] Reassumption of liability filed

C DEFENDANT INFORMED OF RIGHTS/ADVISEMENTS

[1] to counsel [2] of time for trial [3] to confront/cross exam witnesses
[4] against self-incrimination [5] to jury/court trial [6] to VOP hearing
[7] possible assessment of P.D. fees [8] alien advisement per 1016.5PC
[9] Faretta advisement given re: counsel & waived
DEFENDANT [10] waives each right [11] waives time
[12] does not waive time [13] withdraws time waiver
[14] waives VOP hearing [15] waives jury trial [16] People waive jury trial
[17] Declaration, Notice, & Order re: Vio. of Conditional Sentence filed

D DEFENDANT PLEADS

[1] Not Guilty [A] NGI [2] Not guilty plea w/drawn
[3] Absentia plea filed [4] Priors denied [5] Enhancements/allegations denied
Advised of [6] max. penalties [7] future consequences [8] understands &
waives each right [9] Defense Csl. joins in waiver [10] TAHL waiver filed
[11] GUILTY [12] NO CONTEST +3
Admits [13] priors [14] enhancement [15] enhancement stricken
[16] Violation of Probation [A] denied [B] admitted [C] dropped
[17] Priors found constitutionally [A] valid [B] invalid
[18] Stipulates to [A] factual basis for plea [B] probable cause for arrest
[C] Commissioner [19] Report/memo filed [A] Bail [B] CAD
COURT FINDS [20] factual basis for plea [21] admission [22] Def. knowingly
intelligently, freely, voluntarily waives rights [23] Def guilty [24] in Viol. Prob.
[25] People's motion to dismiss remaining counts at time of sentencing granted
DEFENDANT waives time for [26] sentencing [27] referral to Probation
Enters [28] Arbuckle [29] Harvey waiver
[30] Referred to [31] Accepted in [A] 1210 PC Court [B] Drug Court
[C] DV Court [D] FACT Court [E] DUI Court [K] Compliance Court
CRIMINAL PROCEEDINGS [32] suspended [33] reinstated
Refer to [34] CAD [35] ESP [35A] SCRAM for
[36] CAD [37] ESP [38] NBRC on ct(s) [A] accepted [B] denied [C]
Terminate [39] successfully [40] unsuccessfully [A] CAD [B] NBRC
[41] GUILTY plea for deferred entry of judgment on ct(s)
Deferred entry completed [41A] successfully [41B] unsuccessfully
[42] Dr.
[43] Report due, appointed per
DEFENDANT [44] found mentally [A] competent [B] incompetent
[45] committed to Sonoma County Jail [A] contested [B] uncontested
[46] If sentenced to Jail, term would be yrs/mos. Credits

E PROBATION

[1] Referred to Prob. Dept. for RPO [2] re-referral [A] OR Bail Reduction [B] Presentence [C] VOP [D] NBRC [E] Post Sentence
[F] Other [3] PROBATION SUMMARILY REVOKED [4] Prob. Rpt filed [5] See P.O. today [6] Test today
[7] Cont. to Ctrm [8] Refer to [A] Mental Health [B] Mental Health Review Team [9] Report due

F CALENDAR SETTINGS

HELD [9] Cert per 1368 PC for hrg. Ctrm [A] HELD
[1] Sett. Conf. set Ctrm [A] [10] Proceeding suspended & case Certified to Juvenile Court
[2] Readiness Conf. set Ctrm [A] **MOTION** [11] 1538.5 PC [12] 1050 PC [13] Other
[3] Jury trial set Ctrm [A] Set Ctrm [A] HELD [B] granted
[4] Court trial Ctrm [A] [14] P & A's by [15] Response by
[5] Vio. Probation hrg. set Ctrm [A] [16] Plea of guilty/conviction set aside [17] Case dismissed per 1203.4 PC
[6] Hearing
[7] VACATED [18] Case [19] Cts. but DISMISSED [A] People's motion
[8] Cont. to Ctrm [B] Interest of Justice [C] Insufficient Evidence [D] With TVS proof
[E] On condition(s):
Judge

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA**

Case # SCR-63 Date: 5/31/2013 Time: 0130 Courtroom # 2

PEOPLE VS. HA [DE 1]

No legal cause why jdgmt. should not be pronounced Imposition of sentence suspended Probation denied Probation summarily imposed
 CONDITIONAL SENTENCE **FORMAL PROBATION** **SENTENCE MODIFIED**
 Granted 24 mos. **Extended** ___ mos. from today's date to ___ **Modified** **Revoked** **Reinstated**
 Convert to formal probation conditional sentence upon ___
 To terminate successfully unsuccessfully upon payment of fine upon completion of jail time On date: ___
 Terminated successfully unsuccessfully All other terms & conditions remain in full force & effect

Commence & continue education, counsel, other rehab programs Do not commit criminal offense, refuse a BAC (blood alcohol test), or drive with any measurable amount of alcohol in blood.
 52-session Batterer's program and do not leave any program Do not own, possess or use any firearms weapons ammunition without prior written consent meetings as directed firearms for 10 yrs or any weapons for 3 yrs. Per 12021(c)(1) PC
 Make all court appearances & appointments (including intake) Stay out of places where alcohol is the primary item of sale
 Report to Prob. Officer as directed Observe curfew as directed Do not drive with any alcohol in system
 Complete ___ hrs. work thru Sonoma Co. Volunteer Center as directed Do not drive without valid California license & insurance in effect
 vacated in lieu of ___ Contact by ___ FODDP referral 9 mo extended program vacated
 Seek & maintain employment or enroll in educational program MODDP referral vacated Enroll within 21 days & complete as directed MODDP re-referral DL-104 2nd offender re-referral
 Do not harm, harass, or annoy victim molest, attack, strike, stalk, threaten, sexually assault, batter, & do not disturb victim's peace Referred to Orenda Center Alcohol/Other Drug Assessment Program w/in 30 days & pay \$100 assessment fee
 Do not contact victim directly or indirectly ___ License suspended per DMV regulations surrendered to Court
 Do not congregate/frequent locations or associate with gang members, wear gang attire or colors, or possess gang paraphernalia Court orders DMV not to issue a restricted license
 Be of good conduct & obey all laws Abide by any protective orders **Interlock** advisement given to be installed for ___ mo. waived, not in the Interest of Justice
 Register per 290 PC 11590 H&S HIV test ordered DL-309 Habitual Traf. Offender DL310 Verbal suspension ntc.
 Defendant to submit to warrantless search & seizure of person, Traffic Violator School by ___ Court monitored suspension
 Submit to random chemical tests as directed by Orenda Center for ___ months as directed by Probation and pay \$7.00 fee per test **DUI Conviction involves** Commercial vehicle HAZMAT
 Do not possess or use any alcohol controlled substances or associated paraphernalia without valid prescription Corrected abstract Declaration per 23212 & 23103.5 VC filed
 Attend ___ Awareness Program by ___ Court Costs to Clerk's Office forthwith AIDS class through DAAC

J	AMOUNT	FINE AND/OR FEE	DUE DATE
[1]	\$	Court Costs	[B] ___ [A] Susp.
[2]	\$	FTA Fine	[B] ___ [A] Susp.
[3]	\$	Alcohol Prevention Fee	[B] ___ [A] Waived
[4]	\$	Drug Prevention Fee	[B] ___ [A] Waived
[5]	\$	AIDS Educ. Fee to Pub. Health	[B] ___ [A] Waived
[6]	\$	AIDS Fund Fee	[B] ___ [A] Waived
[7]	\$	Battered Women's Shelter Fee	[B] ___ [A] Waived
[8]	\$ 140-	Restitution fine per 1202.4(b)PC	[B] ___ [A] Waived
[15]	\$ 140-	Restitution fine per 1202.44PC, Suspended unless probation is revoked	[B] ___ [A] Susp.
[9]	\$	Restitution fine per 294 PC	[B] ___ [A] Reserved
[10]	\$	Supervision Fee	[B] ___ [A] Waived
[11]	\$	RPO Fees	[B] ___ [A] Waived
[12]	\$	Dom. Viol. Fee per 1203.097 PC	[B] ___ [A] Waived
[13]	\$	Appt. Counsel [14] P.D. fees	[B] ___ to Central Coll.

[17] \$ ___ Diversion Rest. Fee per 1001.90 PC
 [18] Fine \$ 140- (inc. Security Fee)
 [19] Previous Balance \$ ___
 [20] Vacate \$ ___
 [21] Suspend \$ ___
Payable by ___ at \$ 75 mo. beg 7-1-13
 plus processing fee thru Clerk's Office Probation
 Contact the collection unit re: payment of delinquent fine.
 Bail to apply with authorization by ___
 Fine reduced to \$ ___ with proof of license & insurance
 Vehicle to be released upon payment of impound & tow fees ___
 DMV hold to be released forthwith ___
 Fines/fees vacated 158 BFE
 Booking fee \$

Restitution in an amount & manner to be determined by the Probation Dept issue reserved jointly & severally liable with co-defendant(s)
 \$ ___ at \$ ___ per mo. beginning ___ as directed by Probation Officer **10% Administrative fee will be assessed**
 Def. advised of right to restitution hrg per 1214 PC (Cervantes) w/in 90 days Deemed a civil judgment Due to victim by ___

JAIL SECTION Defendant sentenced to serve ___ Credits 4/2 6/2
 ___ in Sonoma County Jail in any penal institution

All but ___ suspended Consecutive to Concurrent with ___
 Jail time of ___ suspended With credit for time served (CTS) of ___ days (___ actual + ___ conduct)
 Stayed to ___ by ___ p.m. Surrender to NCDF forthwith previously imposed Defendant given credit for time served
 Refer to Work release - contact within 10 days Work furlough Supervised Electronic Confinement consecutive 48 hour periods
 Day for day credits allowed while in residential treatment program Release to program representative when bed space becomes available
 Sentenced to jail time on ___ cases this date Jail alternative programs denied Jail to calculate credits

Defendant's Signature: Amy Phone: _____
 Address: _____
 City: _____ State: _____ Zip: _____ JUDGE: _____