FILED M2
October 1, 2019
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL
KEVIN TAYLOR, No. 151715
180 Howard Street
San Francisco, California 94105-1639
Telephone: (415) 538-2000

# Public Matter

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

| | |
|---|---|
| IN THE MATTER OF THE CONVICTION OF:<br><br>**ESTEVAN R. LUCERO,**<br>**AKA ESTEVAN RAMON LUCERO**<br>**No. 298076**<br><br>Attorney | Case No. SBC-19-C-30500<br><br>Transmittal of Records of Conviction of Attorney (Bus. & Prof. Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)<br><br>(OCTC Case No. 18-C-17744)<br><br>[ X ] Felony;<br>[ X ] Hearing required to determine whether crime(s) involves moral turpitude or other misconduct warranting discipline;<br>[ X ] Evidence of sentence to incarceration of 90 days or more re involuntary enrollment per Bus. & Prof. Code § 6007(c)(5). |

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

[ X ] A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of Chief Trial Counsel transmits a certified copy of the record of convictions of the following attorney of the State Bar and for such consideration and action as the Court deems appropriate:

[ ] B. Notice of Appeal

[ ] C. Evidence of Finality of Conviction (Notice of Lack of Appeal)

[ X ] D. Other

Name of Licensee: Estevan R. Lucero

Date licensee admitted to practice law or registered in California: July 14, 2014

Licensee's Address of Record: Lucero Law, PC
3636 4th Avenue, Ste. 202
San Diego, CA 92103-4237

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named attorney of the State Bar was convicted as follows:

Date of entry of conviction: March 28, 2019

Convicting court: Superior Court of California, San Diego

Case number(s): CD279158

Crime(s) of which convicted and classification(s): Violation of Penal Code §646.9(a), stalking, one count, a felony that may or may not involve moral turpitude or other misconduct warranting discipline. (June 28, 2018, unpublished Review Department order in *In the Matter of Weinkauf*, State Bar Court case number 18-C-10645.)

[ X ] 3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named attorney to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the attorney's compliance with the provisions of rule 9.20.

[ X ] 4. Other information to assist the State Bar Court

**INVOLUNTARY ENROLLMENT PER BUS. & PROF. CODE 6007(C)(5)**: Respondent was sentenced to serve 365 days in county jail. (See Felony Minutes dated July 19, 2019 and September 10, 2019.)

DOCUMENTS TRANSMITTED:

Certified copy of Amended Complaint - Felony
Certified copy of plea form
Certified copy of Felony Minutes
Certified copy of Felony Minutes Judgment
Certified copy of Felony Minutes Judgment

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: October 1, 2019

BY:
Kevin B. Taylor
Senior Trial Counsel

The Office of Chief Trial Counsel received the full set of Certified Record of Conviction on this matter on September 27, 2019.

A copy of this transmittal and its
Attachments have been sent to:

Estevan R. Lucero
Lucero Law, PC
3636 4th Avenue, Ste. 202
San Diego, CA 92103-4237

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# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
## CENTRAL DIVISION

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

ESTEVAN RAMON LUCERO,
*dob 11/25/85, Booking No. 18167615A;*
Defendant

DOMESTIC VIOLENCE

CT No. CD279158
DA No. AEK521
AMENDED
COMPLAINT-FELONY

FILED
Clerk of the Superior Court
MAR 11 2019
By: G. Figueroa, Clerk

INFORMATION

Date: _____

## PC296 DNA TEST STATUS SUMMARY

| Defendant | DNA Testing Requirements |
|---|---|
| LUCERO, ESTEVAN RAMON | DNA sample required upon conviction |

## CHARGE SUMMARY

| Count | Charge | Issue Type | Sentence Range | Special Allegations | Allegation Effect |
|---|---|---|---|---|---|
| 1 | PC273.5(a)<br>LUCERO, ESTEVAN RAMON | Felony | 2-3-4 | | |
| 2 | PC487(a)<br>LUCERO, ESTEVAN RAMON | Felony | 16-2-3 | | |
| 3 | PC594(a)(b)(1)<br>LUCERO, ESTEVAN RAMON | Felony | 16-2-3 | | |
| 4 | PC422<br>LUCERO, ESTEVAN RAMON | Felony | 16-2-3/$10,000 | | |
| 5 | PC422<br>LUCERO, ESTEVAN RAMON | Felony | 16-2-3/$10,000 | | |
| 6 | PC459<br>LUCERO, ESTEVAN RAMON | Felony | 2-4-6 | PC460(a)<br>PC667.5(c)(21) | Prison Presum |

## CHARGE SUMMARY (cont'd)

| Count | Charge | Issue Type | Sentence Range | Special Allegations | Allegation Effect |
|---|---|---|---|---|---|
| 7 | PC594(a)(b)(1) | Felony | 16-2-3 | | |
| | LUCERO, ESTEVAN RAMON | | | | |
| 8 | PC646.9(a) | Felony | 16-2-3 | | |
| | LUCERO, ESTEVAN RAMON | | | | |
| 9 | PC451(d) | Felony | 16-2-3 | | |
| | LUCERO, ESTEVAN RAMON | | | | |
| 10 | PC1320.5 | Felony | 16-2-3 | | |
| | LUCERO, ESTEVAN RAMON | | | | |
| | PC1054.3 | | INFORMAL REQUEST FOR DISCOVERY | | |

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

## CHARGES

### COUNT 1 - CORPORAL INJURY TO SPOUSE AND/OR ROOMMATE

On or about May 24, 2018, ESTEVAN RAMON LUCERO did willfully and unlawfully inflict a corporal injury resulting in a traumatic condition upon MAHLIA ASHWORTH, who was then and there the former spouse of the defendant, in violation of PENAL CODE SECTION 273.5(a).

### COUNT 2 - GRAND THEFT OF PERSONAL PROPERTY

On or about May 24, 2018, ESTEVAN RAMON LUCERO did unlawfully take and steal money and personal property of MAHLIA ASHWORTH, of a value in excess of Nine Hundred Fifty Dollars ($950), in violation of PENAL CODE SECTION 487(a).

### COUNT 3 - VANDALISM OVER $400

On or about May 24, 2018, ESTEVAN RAMON LUCERO did unlawfully and maliciously damage and destroy real and personal property not his or her own, and the amount of defacement, damage, and destruction was four hundred dollars ($400) or more, in violation of PENAL CODE SECTION 594(a)(b)(1).

## CHARGES (cont'd)

### COUNT 4 - MAKING A CRIMINAL THREAT

On or about September 7, 2018, ESTEVAN RAMON LUCERO did unlawfully and willfully threaten to commit a crime which would result in death and great bodily injury to MAHLIA ASHWORTH, with the specific intent that the statement, made verbally, in writing, and by means of an electronic communication device, was to be taken as a threat (even if there was no intent of actually carrying it out), which, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby caused that person reasonably to be in sustained fear for his/her own safety and for his/her immediate family's safety in violation of PENAL CODE SECTION 422.

### COUNT 5 - MAKING A CRIMINAL THREAT

On or about September 7, 2018, ESTEVAN RAMON LUCERO did unlawfully and willfully threaten to commit a crime which would result in death and great bodily injury to MATHEW HARDY, with the specific intent that the statement, made verbally, in writing, and by means of an electronic communication device, was to be taken as a threat (even if there was no intent of actually carrying it out), which, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby caused that person reasonably to be in sustained fear for his/her own safety and for his/her immediate family's safety in violation of PENAL CODE SECTION 422.

### COUNT 6 - BURGLARY, BURGLARY OF THE FIRST DEGREE

On or about October 22, 2018, ESTEVAN RAMON LUCERO did unlawfully enter a building with the intent to commit a felony, in violation of PENAL CODE SECTION 459.

And it is further alleged that said burglary was a burglary of the inhabited portion of a building, within the meaning of PENAL CODE SECTION 460(a).

And it is further alleged that another person, other than an accomplice, was present in the residence during the commission of burglary, within the meaning of PENAL CODE SECTION 667.5(c)(21).

### COUNT 7 - VANDALISM OVER $400

On or about October 22, 2018, ESTEVAN RAMON LUCERO did unlawfully and maliciously damage and destroy real and personal property not his or her own, and the amount of defacement, damage, and destruction was four hundred dollars ($400) or more, in violation of PENAL CODE SECTION 594(a)(b)(1).

## CHARGES (cont'd)

### COUNT 8 - STALKING

On or about and between January 1, 2018 and October 22, 2018, ESTEVAN RAMON LUCERO did unlawfully, willfully, maliciously and repeatedly follow and harrass MAHLIA ASHWORTH, and did make a credible threat with the intent to place that person in reasonable fear for his/her safety and the safety of his/her immediate family in violation of PENAL CODE SECTION 646.9(a).

### COUNT 9 - ARSON OF PROPERTY

On or about and between January 1, 2018 and June 30, 2018, ESTEVAN RAMON LUCERO did willfully, maliciously and unlawfully set fire to and burn and caused to be burned the property of another in violation of PENAL CODE SECTION 451(d).

### COUNT 10 - FAILURE TO APPEAR WHILE ON BAIL

On or about February 6, 2019, ESTEVAN RAMON LUCERO, a person who was charged with the commission of a felony who was released from custody on bail and, in order to evade the process of the court, willfully and unlawfully failed to appear as required, in violation of PENAL CODE SECTION 1320.5.

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NOTICE: Any defendant named on this complaint who is on criminal probation in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the preliminary hearing. Defenses to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

NOTICE: Any defendant named on this complaint who is on Mandatory Supervision in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's Mandatory Supervision pursuant to Penal Code Sections 1170(h)(5)(B) and 1203.2, on any and all such grants, utilizing the same evidence, at the preliminary hearing. Defense to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

Pursuant to PENAL CODE SECTION 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3.

Sheriff's records indicate that as of the booking date one or more defendants have not yet provided a DNA sample to the DOJ database. Pursuant to Penal Code Section 296(e), the court shall order collection of DNA from the defendant(s) if advised by the prosecuting attorney that a sample is required but has not been provided by the defendant. Pursuant to Penal Code sections 296/296.1, if not already required from a past conviction, any defendants who have not done so will be required to provide a sample upon conviction of this felony offense.

MANDATORY STATE PRISON INCARCERATION: An executed sentence for a felony shall be served by defendant ESTEVAN RAMON LUCERO in state prison pursuant to PENAL CODE SECTIONS 1170(f) and (h)(3).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CD279158, CONSISTS OF 10 COUNTS.

Executed at City of San Diego, County of San Diego, State of California, on March 11, 2019.

COMPLAINANT

INFORMATION

SUMMER STEPHAN
District Attorney
County of San Diego
State of California
by:

Date

Deputy District Attorney

CLERK'S CERTIFICATE

The foregoing document, consisting of 5 page(s), is a full, true, and correct copy of the ☒ original ☐ copy on file in this office.

Clerk of the Superior Court

09/12/19 by S Donohue

Date Deputy

S Donohue

06120 ✓ TW

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| SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO | FILED For Court Use Only Clerk of the Superior Court MAR 28 2019 By: S. Adam |
|---|---|
| PEOPLE vs Esteban Lucero Defendant | |
| PLEA OF GUILTY/NO CONTEST – FELONY | COURT CASE NUMBER CD279158 DA CASE NUMBER |

**I, the defendant in the above-entitled case, in support of my plea of Guilty/No Contest, personally declare as follows:**

1. Of those charges now filed against me in this case, I plead Guilty to the following offenses and admit the enhancements, allegations and prior convictions as follows:

| COUNT | CHARGE | ENHANCEMENT(S)/ALLEGATION(S) (List all for each count) |
|---|---|---|
| 8 | PC646.9(a) | |
| | | |
| | | |
| | | |
| | | |

| PRIOR (SECTION NO.) | CONVICTION DATE | COUNTY | CASE NO. | CHARGE(S) |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |

☐ **Additional count(s)/prior(s) listed on Plea of Guilty/No Contest-Felony Attachment Page (SDSC Form #CRM-012A).**

2. I have not been induced to enter this plea by any promise or representation of any kind, except: *(State any agreement with the District Attorney.)* Sentence to court, individual counseling in lieu of DVRP.

3. I am entering my plea freely and voluntarily, without fear or threat to me or anyone closely related to me.

4. I understand that a plea of No Contest is the same as a plea of Guilty for all purposes.

5. I am sober and my judgment is not impaired. I have not consumed any drug, alcohol or narcotic within the past 24 hours.

**CONSTITUTIONAL RIGHTS**

6a. I understand that I have the right to be represented by a lawyer at all stages of the proceedings. I can hire my own lawyer or the Court will appoint a lawyer for me if I cannot afford one.

**<u>I understand</u> that as to all charges, allegations and prior convictions filed against me, and as to any facts that may be used to increase my sentence, now or in the future, I also have the <u>following constitutional rights, which I now give up</u> to enter my plea of guilty/no contest:**

6b. I have the right to a **<u>speedy and public trial by jury</u>**. **I now give up this right.**

6c. I have the right to **<u>confront and cross-examine all the witnesses</u>** against me. **I now give up this right.**

6d. I have the right to **<u>remain silent</u>** (unless I choose to testify on my own behalf). **I now give up this right.**

6e. I have the right to **<u>present evidence in my behalf</u>** and to have the court subpoena my witnesses at no cost to me. **I now give up this right.**

| DEFENDANT Esteban Lucero | CASE NUMBER CD279158 |
|---|---|

## CONSEQUENCES OF PLEA OF GUILTY/NO CONTEST

7a. I understand that I may receive this maximum punishment as a result of my plea: 3 years imprisonment or imprisonment plus a term of mandatory supervision; $ 10,000 fine; and 3 years parole or post-release community supervision, with return to custody for every violation of a condition thereof. If I am not sentenced to imprisonment, I may be granted probation for a period up to 5 years or the maximum term of imprisonment, whichever is greater. As conditions of probation I may be given up to a year in jail custody, plus the fine, and any other conditions deemed reasonable by the Court. I understand that if I violate any condition of probation I can be sentenced to imprisonment for the maximum term as stated above.

7b. I understand that I must pay a restitution fine ($300 - $10,000), that I will also be subject to a suspended fine in the same amount, and that I must pay full restitution to all victims.

7c. I understand that my conviction in this case will be a serious/violent felony ("strike") resulting in mandatory denial of probation, substantially increased penalties, and a term in State Prison in any future felony case.

7d. **Immigration consequences:** (1) I understand that if I am not a U.S. citizen, this plea of Guilty/No Contest may, and for certain offenses **will** (see page 4), have the consequences of removal/deportation, exclusion from admission to the United States, and/or denial of naturalization pursuant to the laws of the U.S.; (2) I understand I have the right to request additional time to consider my plea in light of the advisement in this paragraph; (3) I have discussed my immigration status with my attorney and have had sufficient time to consider and discuss the immigration consequences of my plea with him/her or an immigration attorney.

7e. I understand that my plea of Guilty/No Contest in this case could result in revocation of my probation, mandatory supervision, parole or post-release supervision in other cases, and consecutive sentences.

7f. My attorney has explained to me that other possible consequences of this plea may be: (Circle applicable consequences.)

(1) Consecutive sentences
(2) Loss of driving privileges
(3) Commitment to Youth Authority
(4) Lifetime registration as an arson / sex offender
(5) Registration as a narcotic / gang offender
(6) Cannot possess firearms or ammunition
(7) Blood test and saliva sample
(8) Priorable (increased punishment for future offenses)
(9) Prison prior
(10) Mandatory imprisonment
(11) Mandatory State Prison
(12) Presumptive imprisonment
(13) Presumptive State Prison
(14) Sexually Violent Predator Law
(15) Possible/Mandatory hormone suppression treatment
(16) Reduced conduct/work credits
a. Limited local credits (290/serious/prior)
b. Violent Felony (No credit or max. 15%)
c. Prior Strike(s) (No credit to max. 20%)
d. Murder on/after 6/3/98 (No credit)
(17) Loss of public assistance
(18) AIDS education program
(19) Other: _____

8. **(Appeal Rights)** I give up my right to appeal the following: 1) ~~denial of my 1538.5 motion~~, 2) ~~issues related to strike priors (under PC sections 667(b)-(i) and 1170.12~~), and 3) any sentence stipulated herein.

9. **(*Harvey* Waiver)** The sentencing judge may consider my prior criminal history and the entire factual background of the case, including any unfiled, dismissed or stricken charges or allegations or cases when granting probation, ordering restitution or imposing sentence.

10. **(*Blakely* Waiver)** I understand that as to any fact in aggravation that may be used to increase my sentence on any count or allegation to the upper or maximum term provided by law, I have the constitutional rights listed in paragraphs 6b-6e. I now give up those rights and agree that the sentencing judge may determine the existence or non-existence of any fact in aggravation, either at the initial sentencing or at any future sentencing in the event my probation is revoked.

11. **(*Cruz* Waiver)** Negotiated Disposition pursuant to PC 1192.5: I understand that if pending sentencing I am arrested for or commit another crime, violate any condition of my release, or willfully fail to appear for my probation interview or my sentencing hearing, the sentence portion of this agreement will be cancelled. I will be sentenced unconditionally, and I will not be allowed to withdraw my guilty/no contest plea(s).

| DEFENDANT Esteban Lucero | CASE NUMBER CD279158 |
|---|---|

12. **(*Arbuckle* Waiver)** I give up my right to be sentenced by the judge who accepts this plea.

13. **(Probation Report)** I give up my right to a full probation report before sentencing.

14. **(Evidence Disposal Waiver)** I give up my interest in all non-biological property/evidence impounded during the investigation of this case except Personal property and acknowledge that if I listed any property here, I must also file a claim with the impounding agency within 60 days after pronouncement of judgment or my ability to make a claim will expire.

**PLEA**

15. I now plead Guilty/No Contest and admit the charges, convictions and allegations described in Item 1. I admit that on the dates charged, I: *(Describe facts as to each charge and allegation)*
willfully harrassed another person and made a credible threat w/ the intent to place that person in fear for his or her safety.

16. I declare under penalty of perjury that I have read, understood, and initialed each item above and any attached addendum, and everything on the form and any attached addendum is true and correct.

Dated: 3/11/19 Defendant's Signature

Defendant's Address: 3940 1/2 KANSAS STREET
Street
SAN DIEGO CA 92103
City State Zip

Telephone Number: (619) 798-5033

Defendant's Right Thumb Print

**ATTORNEY'S STATEMENT**

I, the attorney for the defendant in the above-entitled case, personally read and explained to the defendant the entire contents of this plea form and any addendum thereto. I discussed all charges and possible defenses with the defendant, and the consequences of this plea. **I have asked the defendant about his/her immigration status, advised defendant of the immigration consequences of this plea to the best of my ability, and advised defendant of the right to additional time to discuss this matter with an immigration attorney**. I personally observed the defendant fill in and initial each item, or read and initial each item to acknowledge his/her understanding and waivers. I observed the defendant date and sign this form and any addendum. I concur in the defendant's plea and waiver of constitutional rights.

Dated: 3/11/19 SPriz (Print Name) Attorney for Defendant (Signature)
(Circle one: PD / APD / OAC / RETAINED)

**INTERPRETER'S STATEMENT**

I, the sworn _____ language interpreter in this proceeding, truly translated for the defendant the entire contents of this form and any attached addendum. The defendant indicated understanding of the contents of this form and any addendum and then initialed and signed the form and any addendum.

Dated: _____ (Print Name) Court Interpreter (Signature)

**PROSECUTOR'S STATEMENT**

The People of the State of California, plaintiff, by its attorney, the District Attorney for the County of San Diego, concurs with the defendant's plea of Guilty/No Contest as set forth above.

Dated: 3/11/19 A. Dillon (Print Name) Deputy District Attorney (Signature)

| DEFENDANT ESTEVAN LUCERO | CASE NUMBER SCD279158 |
|---|---|

## COURT'S FINDING AND ORDER

The Court, having questioned the defendant and defendant's attorney concerning the defendant's plea of Guilty/No Contest and admissions of the prior convictions and allegations, if any, finds that: The defendant understands and voluntarily and intelligently waives his/her constitutional rights; the defendant's plea and admissions are freely and voluntarily made; the defendant understands the nature of the charges and the consequences of the plea and admissions; and there is a factual basis for same. The Court accepts the defendant's plea and admissions, and the defendant is convicted thereby.

Dated: MAR 28 2019

Joan P. Weber
Judge of the Superior Court
JOAN P. WEBER

## IMMIGRATION CONSEQUENCES

If you are not a U.S. citizen, you should consult your attorney or an immigration attorney about the immigration consequences of your plea, particularly if your offense might qualify as an "aggravated felony," crime of moral turpitude, controlled substance offense, firearm offense, or domestic violence offense (see below). It is your attorney's obligation to provide you with accurate and affirmative advice about the immigration consequences of your plea, and you have the right to additional time to evaluate those immigration consequences. By entering a plea, you are indicating to the court you know of and understand the specific immigration consequences that will result from your conviction.

Immigration consequences are a matter of federal law. Whether an offense qualifies as one of the "aggravated felonies" listed below is determined by federal statutes and case law. (See *Esquivel-Quintana v. Sessions* (2017) __ U.S. __ , 137 S.Ct. 1562, 198 L.Ed.2d 22.) **Certain offenses defined as misdemeanors under State law may be considered "aggravated felonies" under federal law**.

Any conviction of a non-citizen for an "aggravated felony" **will** result in removal/deportation, exclusion, and/or denial of naturalization. (See 8 U.S.C. § 1227(a)(2)(A)(iii).) "Aggravated felonies" (see 8 U.S.C. § 1101(a)(43)) include but are not limited to:

(1) Murder; rape; or sexual abuse of a minor;
(2) A crime of violence, as defined in 18 U.S.C. § 16, but not including a purely political offense;*
(3) Trafficking of a controlled substance, firearms, destructive devices or explosive materials;
(4) Money laundering if the amount exceeds $10,000;
(5) An explosive materials offense;
(6) A firearms offense;
(7) A theft offense, including receipt of stolen property, or burglary offense;*
(8) Child pornography;
(9) Pimping, pandering, or operating a prostitution business;
(10) Human trafficking;
(11) Fraud or deceit in which the loss to the victim or victims exceeds $10,000;
(12) Failure to appear by a defendant for service of a sentence if the underlying offense is punishable by imprisonment for a term of five years or more, or failure to appear to answer or resolve a felony for which a sentence of two years' imprisonment or more may be imposed;
(13) Commercial bribery, counterfeiting, forgery, or trafficking in vehicles the identification numbers of which have been altered;*
(14) Obstruction of justice, perjury or subornation of perjury, or bribery of a witness;*
(15) An attempt or conspiracy to commit any of the above offenses.

*If the term of imprisonment is at least one year.

Other crimes (*as defined by federal law*) that **may** result in removal/deportation, exclusion, and/or denial of naturalization or other severe immigration consequences include, but are not limited to:
(1) A crime of moral turpitude (see 8 U.S.C. §§ 1182(a)(2)(A)(i), 1227(a)(2)(A)(i));
(2) A controlled substance offense (see 8 U.S.C. §§ 1182(a)(2)(A)(i), 1182(a)(2)(C), 1227(a)(2)(B));
(3) A firearm or destructive device offense (see 8 U.S.C. § 1227(a)(2)(C));
(4) A domestic violence, stalking, or child abuse offense (see 8 U.S.C. § 1227(a)(2)(E)(i));
(5) Violation of a protective order (see 8 U.S.C. § 1227(a)(2)(E)(ii));
(6) A human trafficking offense (see 8 U.S.C. §§ 1182(a)(2)(H), 1227(a)(2)(F));
(7) Multiple criminal convictions with an aggregate sentence of five years or more (see 8 U.S.C. § 1182(a)(2)(B));
(8) A prostitution offense (see 8 U.S.C. § 1182(a)(2)(D));
(9) A "serious criminal offense," which includes any felony, a crime of violence, and reckless driving or DUI with injury (see 8 U.S.C § 1182(a)(2)(E)).

CLERK'S CERTIFICATE

The foregoing document, consisting of 4 page(s), is a full, true, and correct copy of the ☒ original ☐ copy on file in this office.

Clerk of the Superior Court

09/12/19 by S. Donahue

Date Deputy S. Donahue

SCD279158 DA ABK521

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☒ CENTRAL ☐ EAST ☐ NORTH ☐ SOUTH

DATE 3-28-19 AT 8:15 M.

PRESENT: HON. Joan P. Weber JUDGE PRESIDING, DEPARTMENT 1101

CLERK S. Adam REPORTER CSR 13972 CSR#

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112

THE PEOPLE OF THE STATE OF CALIFORNIA

VS.

LUCERO, Steven

DEFENDANT

A Dillon

DEPUTY DISTRICT ATTORNEY / ~~DEPUTY ATTORNEY GENERAL~~

S Ruiz

ATTORNEY FOR DEFENDANT (PD / APD / OAC / RETAINED)

VIOLATION OF CT8- PC646.9(2) P.O.

ALLEG(S)/ENH(S) INTERP. OATH ON FILE / SWN.

PRIOR(S) LANGUAGE

DEFENDANT ☒ PRESENT ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED

**READINESS** ☐ ___ AMENDED COMPLAINT / INFO. / INDICTMENT FILED, READING WAIVED, TRUE NAME AS CHARGED, DEFT. PLEADS NOT GUILTY, DENIES ALLEGS.

☐ COMPLAINT / INFORMATION AMENDED BY INTERLINEATION . ☐ COMPLAINT DEEMED INFORMATION.

☒ PRELIMINARY HEARING / TRIAL 5/15/19 CONFIRMED / REMAINS ☒ VACATED ☐ READINESS ☐ MOTIONS REMAIN(S) / VACATED.

☒ DEFENDANT ADVISED OF RIGHTS, WAIVES RIGHTS. ☒ DEFT. SWORN AND EXAMINED. ☒ DEFENDANT WITHDRAWS "NOT GUILTY" PLEA AND NOW PLEADS ☒ GUILTY ☐ NOLO CONTENDERE TO:

CT8 - PC646.9(2)

☐ PEOPLE V. WEST PLEA ☒ COUNSEL AND DEFENDANT STIPULATE TO PRELIMINARY / GRAND JURY TRANSCRIPT AS FACTUAL BASIS OF PLEA.

☒ ON MOTION OF COURT / PEOPLE / DEFENDANT COUNT(S) Bal Bal REMAINING IS / ARE DISMISSED FOJ / VOP.

☒ ON MOTION OF COURT / PEOPLE / DEFENDANT ALLEGATION(S)/PRIOR(S) Bal REMAINING IS / ARE STRICKEN FOJ / VOP.

☒ DEFENDANT TO PROVIDE DNA SAMPLES AS DIRECTED BY SHERIFF OR PROBATION (PC296). ☐ PC1210 ☐ ACCEPTED. ☐ DECLINED.

**PC1000** ☐ PC1000, DEFERRED ENTRY OF JUDGMENT, GRANTED _____ MOS./YRS. ☐ NEW TERM ☐ RE-REFERRAL ☐ REPORT TO SUBSTANCE ABUSE ASSESSMENT UNIT FORTHWITH. ☐ DEFENDANT TO PAY ☐ $ _____ ADMIN FEE ☐ $ _____ DEJ RESTITUTION FEE PER PC1001.90 BY _____.

☐ DEFT. SUCCESSFULLY COMPLETED PC1000. PREVIOUSLY ENTERED PLEA TO COUNT(S) ____SET ASIDE, AND THE CHARGE(S) IS/ARE DISMISSED.

☐ DEFT FAILED THE PC1000 PROGRAM. ANY UNPAID PC1000 FEES ARE DELETED. ☐ COURT MAKES A FINDING OF GUILT TO THE CHARGE(S) PLED. 1538.5

**FUTURE HEARINGS** **WAIVERS:** ☒ STATUTORY TIME PRELIM / TRIAL JUDGMENT ☐ PRELIMINARY HEARING ☐ SPEEDY TRIAL. ☒ HARVEY / CRUZ / ~~ARBUCKLE~~ ARBUCKLE

☒ NON-BIOLOGICAL EVIDENCE DISPOSAL. ☐ PRESENCE AT POST-SENTENCE HEARING. ☐ ATTORNEY / INTERPRETER CONFLICT FOR THIS HEARING.

☐ COMPLAINT DEEMED THE INFORMATION, IMMEDIATE ARRAIGNMENT (SEE CRM-002A). ☐ IMMEDIATE SENTENCING (SEE CRM-002B)

PHDS IS SET FOR / CONT'D / TRAILED TO 6/20/19 AT 1:30 IN DEPT. 1101.

ON MOTION OF COURT / PEO. / DEFT. REASON: EST. PRELIM: . DAYS LEFT (TRIAL) .

☐ READINESS IS SET FOR / CONT'D TO AT IN DEPT. MOTIONS DUE:

**MENTAL HEALTH** ☐ PROCEEDING SUSPENDED PER PC1368. MENTAL COMPETENCY EXAMINATION ON AT

BY FORENSIC PSYCHIATRY CLINIC. FEMALES, ROOM 1003, CENTRAL COURTHOUSE; MALES, CENTRAL DETENTION FACILITY.

HEARING ON AT IN DEPARTMENT , CENTRAL COURTHOUSE.

☐ THE SHERIFF IS ORDERED TO TRANSPORT DEFENDANT TO AND FROM THE EXAMINATION AND HEARING SHOWN ABOVE.

**PROBATION REFERRAL** ☒ REPORT ORDERED: ☒ PRESENTENCE. ☐ POST-SENTENCE, COPY TO BE SENT DIRECTLY TO CDCR PER PC1203C.

☐ DEFENDANT FOUND GUILTY BY ☐ JURY VERDICT. ☐ COURT FINDING. ☐ DEFT. WAIVES POST-SENTENCE INTERVIEW.

☐ DEFENDANT ORDERED TO REMAIN IN COURTROOM UNTIL INTERVIEWED BY COURT PROBATION OFFICER FOR A LIMITED REPORT.

☒ DEFENDANT REFERRED TO / ORDERED TO REPORT IMMEDIATELY TO PROBATION DEPT. FOR INTERVIEW: ☐ 3977 OHIO STREET, SAN DIEGO

☒ 330 W. BROADWAY, 4TH FL, SAN DIEGO ☐ 325 S. MELROSE DR., VISTA ☐ 250 E. MAIN ST., 8TH FL, EL CAJON ☐ 1095 BAY BLVD., CHULA VISTA

**CUSTODY STATUS** ☐ DEFT. REMANDED TO CUSTODY OF SHERIFF ☐ WITHOUT BAIL ☐ BAIL SET AT/REDUCED/INCREASED TO $_____. ☐ PC1275.1 HOLD

☐ DEFENDANT ORDERED RELEASED FROM CUSTODY THIS CASE ONLY ☐ ON OR / SOR ☐ ON DEJ ☐ CASE DISMISSED ☐ ACQUITTED.

☒ DEFENDANT TO REMAIN AT LIBERTY ☒ ON BOND POSTED $ 150,000. ☐ ON OR / SOR ☐ ON DEJ ☐ ON SAME TERMS & CONDITIONS

☐ DEFENDANT ORDERED TO RETURN.

☐ 4TH AMENDMENT WAIVER: IMPOSED. / REMAINS IN EFFECT. / DELETED. ☒ PROTECTIVE ORDER: ISSUED. / REMAINS IN EFFECT. / MODIFIED. / DELETED.

**BONDS / WARRANTS** ☐ BENCH WARRANT TO ISSUE, BAIL SET AT $_____. ☐ COUNSEL REPORTS NO CONTACT WITH DEFENDANT.

☐ SERVICE FORTHWITH. ☐ ORDERED WITHHELD TO _____. ☐ BENCH WARRANT ISSUED / ORDERED _____ IS RECALLED / RESCINDED.

☐ DECL. OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. ☐ BAIL FORF. IS SET ASIDE. ☐ BAIL ☐ REINSTATED ☐ EXONERATED ☐ FORFEITED

☐ UPON PAYMENT OF COURT COST $ _____ WITHIN 30 DAYS. ☐ COST WAIVED. BOND AMT $_____ BOND NO. _____

BOND COMPANY _____ AGENT _____.

**OTHER**

DATE 3/28 ATTEST A TRUE COPY, Clerk of the Superior Court by _____, Deputy

Distribution by SA on 3/28 to JAIL DEFT. ATTY. PROS. PROB. R&R Other:

SDSC CRM-002C (Rev. 10/12)

**FELONY MINUTES – MISCELLANEOUS**

CLERK'S CERTIFICATE

The foregoing document, consisting of 1 page(s), is a full, true, and correct copy of the ☒ original ☐ copy on file in this office.

Clerk of the Superior Court

09/12/19 by J. Donahue
Date Deputy

J. Donahue

52 SDB

Bond/Bail: $650,000

SCD279158 DA AEK52101

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☒ CENTRAL ☐ EAST ☐ NORTH ☐ SOUTH

DATE 07-19-19 AT 09:00 M. 18167615 PROB HEAR-SENTENCING

PRESENT: HON POLLY H. SHAMOON, JUDGE PRESIDING, DEPARTMENT 1101

CLERK C. Lindemood REPORTER A. Pineda CSR# 12470

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

Abigail Dillon
DEPUTY DISTRICT ATTORNEY / DEPUTY ATTORNEY GENERAL

LUCERO ESTEVAN R
DEFENDANT

B - P. DEFENDERS S. Ruiz
ATTORNEY FOR DEFENDANT (PD / APD / CAC / RETAINED)

VIOLATION OF PC646.9(A) Ct. 8 P.O. C. Smith

ENH(S) INTERP. OATH ON FILE / SWN.

PRIOR(S) LANGUAGE

DEFENDANT ☒ PRESENT ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED TW / Protective Order Exp: 10-31-21

**PROB. REV.** ☐ DEFENDANT ADVISED OF RIGHTS AND ADMITS / DENIES A VIOLATION OF PROBATION _____. ☐ WAIVES HEARING.
PROBATION IS / REMAINS: FORMALLY / SUMMARILY ☐ REVOKED ☐ REINSTATED ☐ MODIFIED ☐ CONT. ☐ SAME CONDITIONS ☐ TERMD. ☐ EXT. TO: _____.

**JUDGMENT** ☒ WAIVES ARRAIGNMENT. ☐ ARRAIGNED FOR JUDGMENT. ☒ IMPOSITION / EXECUTION OF SENTENCE IS SUSPENDED.
☒ PROBATION IS: ☐ DENIED ☒ GRANTED 4 YEARS (FORMAL ~~AT COURT~~) TO EXPIRE 7-18-23. ☐ CONVERTS TO PROB. TO COURT _____.
☒ COMMITMENT TO SHERIFF FOR 365 DAYS. STAYED TO _____ / PENDING SUCCESSFUL COMPL. OF PROBATION. ☐ PAROLE MOTION BE GRANTED.
☐ PERFORM _____ ☐ DAYS PSP. ☐ HOURS VOL. WORK AT NONPROFIT ORG. SUBMIT PROOF TO PROBATION / COURT BY _____.
☒ 4TH AMENDMENT WAIVER: IMPOSED. / ~~REMAINS IN EFFECT~~. / ~~DELETED~~. ☒ PROTECTIVE ORDER: ISSUED. / ~~REMAINS IN EFFECT~~. / ~~MODIFIED~~. / ~~TERMINATED~~. New / Previous
☒ FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. ☐ WORK FURLOUGH, REPORT: _____ TO 5600 OVERLAND AVE. STE 190, SAN DIEGO 8:00 A.M.
☒ **COMMITMENT TO** ☒ **CA. DEPT. OF CORRECTIONS & REHAB.** ☐ **DIVISION OF JUVENILE JUSTICE** ☐ **SAN DIEGO COUNTY SHERIFF (PC1170(h)/2057)** ON COUNT 8 CODE & NO. PC646.9(a) FOR _____ ~~LOWER / MIDDLE~~ / UPPER / INDETERMINATE TERM OF 3 YEARS / MONTHS / TO LIFE.
☐ EXECUTION OF CONCLUDING ☐ _____ DAYS ☐ _____ MONTHS ☐ _____ YEARS OF SENTENCE IS SUSPENDED, DURING WHICH TIME THE DEFT. SHALL BE SUBJECT TO MANDATORY SUPV. BY THE PROB. DEPT. (PC1170(h)(5)(b)). TERMS AND CONDITIONS SET FORTH IN THE ORDER GRANTING MANDATORY SUPV. (CRM-255).
☐ PER PC1170(d) ☐ PER WI1737 ☐ PRINCIPAL COUNT. ☐ STIPULATED SENTENCE. ☐ NO EARLY RELEASE OF ANY TYPE AUTHORIZED.
☐ SENTENCE PER PC667(b)-(i)/1170.12. ☒ NOTICE OF FIREARMS PROHIBITION GIVEN PER PC29805.
☐ NO VISITATION PER PC1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES.
☒ TESTING: ☒ COMPLIANCE WITH PC296 VERIFIED. ☐ DNA (PC296) ☐ HIV (PC1202.1)
☐ DEFENDANT ADVISED RE: PAROLE / APPEAL RIGHTS. ☐ **REGISTER** PER ☐ PC290 ☐ HS11590 ☐ PC457.1 ☐ PC186.30
☒ **DEFENDANT TO PAY: FINE** OF $ 400. INCLUDING PENALTY ASSESSMENT, PLUS THE FOLLOWING:
☐ INSTALLMENT/ACCOUNTS RECEIVABLE FEE (PC1205(e)) $_____. ☐ DRUG PROGRAM FEE (HS11372.7) $_____.
☐ LAB ANALYSIS FEE (HS11372.5) $_____. ☐ THEFT FINE (PC1202.5) $_____.
☒ COURT OPERATIONS ASSESSMENT (PC1465.8] $ 30. ☒ CRIM JUSTICE ADMIN FEE (GC29550 et seq.] $ 154.
☒ CRIMINAL CONVICTION ASSESSMENT (GC70373) $ 30. ☐ SEX OFFENDER REG. FINE (PC290.3) $_____.
☐ PROB. HAVING BEEN FORMALLY REVOKED, THE PREVIOUS REST. FINE OF $_____, SUSP. PER PC1202.44, IS NOW DUE.
☒ **RESTITUTION FINES:** $ 300 (PC1202.4(b)) PLUS 10% (PC1202.4(l)) FORTHWITH (PC2085.5)
$ 300 (PC1202.44/~~PC1202.45~~) SUSPENDED UNLESS PROBATION/~~PAROLE~~/SUPERVISION REVOKED.
☒ **RESTITUTION TO VICTIM(S)** PER P.O.'S REPORT / RESTITUTION FUND (PC1202.4(f)) $ TBD / IN AN AMOUNT TO BE DETERMINED. ☐ JOINT & SEVERAL. ☐ AT COMBINED RATE OF $ 35.- PER MONTH TO START ~~60 DAYS~~ AFTER RELEASE / ON _____.
☐ **REPORT TO** ☐ PROBATION ☒ REVENUE & RECOVERY ☐ COURT COLLECTIONS ☐ FORTHWITH. ☒ WITHIN 72 HRS. OF RELEASE FROM ~~CUSTODY~~. RTP
**PROCEEDINGS SUSPENDED** ☐ PER **PC1368**, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.)
**FUTURE HEARINGS** WAIVERS: ☐ TIME FOR JUDGMENT. ☐ PRESENCE FOR RESTITUTION HRG. ☐ REFERRED FOR DIAGNOSTIC EVAL. PER PC1203.03. / WI707.2.
Restitution Status ~~CONT. TO~~ / SET FOR 9-10-19 AT 1:30 IN DEPT. 1101 ON MOTION OF COURT / DDA / DEFT. / PROB. OFFICER.
☐ TO BE HEARD CONCURRENTLY WITH PRELIMINARY HEARING IN CASE _____. ☐ TO TRAIL CASE(S) _____

| DAYS CREDIT FOR TIME SERVED | |
|---|---|
| 13 | LOCAL |
| | STATE INST. |
| | PC4019 [2/4] |
| 12 | PC4019 [2/2] |
| | PC4019 (b)(1)/(c)(1) [2/2] |
| | PC4019(b)(2)/(c)(2) limited [2/4] |
| | PC2933(e)(1) [1/1] |
| | PC2933(e)(3) disqualified [2/4] |
| | PC2933.1 [15%] |
| | RESIDENTIAL TREATMENT |
| 25 | TOTAL CREDITS |

**CUSTODY STATUS** ☒ DEFENDANT REMANDED TO CUSTODY OF SHERIFF ☒ WITHOUT BAIL. ☐ WITH BAIL SET AT $_____.
☐ MAY BE RELEASED TO REP. OF ~~PB / PROB.~~/APPROVED RES. TREATMENT PROG. ☐ STAY / SERVE BAL. OF CUST. ☐ WHEN BED AVAIL. ☒ AFTER 120 Actual DAYS CUSTODY.
☐ DEFT. ORDERED RELEASED FROM CUSTODY ☐ ON PROBATION. ☐ ON OWN / SUPERVISED RECOGNIZANCE. ☐ ON DEJ. ☐ ON MANDATORY SUPERVISION.
☐ DEFENDANT TO REMAIN AT LIBERTY. ☐ ON BOND POSTED $_____. ☐ ON PROBATION. ☐ ON DEJ. ☐ ON OWN / SUPERVISED RECOGNIZANCE.
**BONDS / WARRANTS** ☐ BENCH WARRANT TO ISSUE, BAIL SET AT $_____. ☐ COUNSEL REPORTS NO CONTACT WITH DEFENDANT.
☐ SERVICE FORTHWITH. ☐ ORDERED WITHHELD TO _____. ☐ BENCH WARRANT ISSUED / ORDERED _____ IS RECALLED / RESCINDED.
☐ DECLARATION OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. ☐ BAIL FORF. IS SET ASIDE. ☐ BAIL ☐ REINSTATED ☒ EXONERATED ☐ FORFEITED
☐ UPON PAYMENT OF COURT COST $_____ WITHIN 30 DAYS. ☐ COST WAIVED. BOND AMT $_____ BOND NO. _____
BOND COMPANY _____ AGENT _____.
**OTHER** ☐ ALL PROPERTY IMPOUNDED, SEIZED, OR HELD IN CUSTODY IN THIS CASE TO BE DISPOSED OF PER POSSESSING AGENCY'S POLICY.
☐ PROBATION: PREPARE SUPPLEMENTAL REPORT. / SUBMIT POST-SENT. REPORT TO CDCR PER PC1203c. ☐ SEE ATTACHED MINUTES FOR ADDITIONAL ORDERS.
☐ CONCURRENT WITH / CONSECUTIVE TO: _____ **CLERK:** ☐ REGISTRAR OF VOTERS. ☐ DMV ABSTRACT B.A.C. ____

NO CPAC; no early release; no county parole
- letter from Advance Care Hospital submitted & filed; Defendant & Stephen Cline Address

Date: _____ ATTEST A TRUE COPY, Clerk of the Superior Court by the Court, Deputy

Distribution by _____ on _____ to JAIL DEFT. ATTY. PROS. PROB. R&R Other: _____

SDSC CRM-002B (Rev. 4/14)

**FELONY MINUTES – PRONOUNCEMENT OF JUDGMENT**

CLERK'S CERTIFICATE

The foregoing document, consisting of ___ page(s), is a full, true, and correct copy of the ☒ original ☐ copy on file in this office.

Clerk of the Superior Court

09/12/19 by J. Donahue

Date Deputy

J. Donahue

03 SDS

In WST
no bail

M

SCD279159 DA AEK52101

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☐ CENTRAL ☐ EAST ☐ NORTH ☐ SOUTH

DATE 09-10-19 AT 01:30 M. ~~10167615~~ 9744917 RESTITUTION HRG

PRESENT: HON ~~POLLY H. SHAMOON~~ T. Walsh, JUDGE PRESIDING, DEPARTMENT 1101

CLERK T. Lancaster REPORTER N/R CSR#

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

A. DILLON
DEPUTY DISTRICT ATTORNEY / DEPUTY ATTORNEY GENERAL

LUCERO ESTEVAN R
DEFENDANT

B - P. DEFENDERS S. RUIZ
ATTORNEY FOR DEFENDANT (PD / APD / OAC / RETAINED)

VIOLATION OF PC646.9(A) ct 8 P.O.

ENH(S) INTERP. OATH ON FILE / SWN.

PRIOR(S) LANGUAGE

DEFENDANT ☐ PRESENT ☐ SELF REPRESENTED ☒ NOT PRESENT ☐ NOT PRODUCED prot ord exp 4.19.29 / 4th waiver

**PROB. REV.** ☐ DEFENDANT ADVISED OF RIGHTS AND ADMITS / DENIES A VIOLATION OF PROBATION _____. ☐ WAIVES HEARING.
PROBATION IS / REMAINS: FORMALLY / SUMMARILY ☐ REVOKED ☐ REINSTATED ☐ MODIFIED ☐ CONT. ☐ SAME CONDITIONS ☐ TERMD. ☐ EXT. TO: _____.

**JUDGMENT** ☐ WAIVES ARRAIGNMENT. ☐ ARRAIGNED FOR JUDGMENT. ☐ IMPOSITION / EXECUTION OF SENTENCE IS SUSPENDED.
☐ PROBATION IS: ☐ DENIED ☐ GRANTED____ YEARS (FORMAL /TO COURT) TO EXPIRE _____. ☐ CONVERTS TO PROB. TO COURT _____.
☐ COMMITMENT TO SHERIFF FOR _____ DAYS. STAYED TO _____ / PENDING SUCCESSFUL COMPL. OF PROBATION. ☐ PAROLE NOT TO BE GRANTED.
☐ PERFORM _____ ☐ DAYS PSP. ☐ HOURS VOL. WORK AT NONPROFIT ORG. SUBMIT PROOF TO PROBATION / COURT BY _____.
☒ 4TH AMENDMENT WAIVER: IMPOSED. / REMAINS IN EFFECT. / DELETED. ☒ PROTECTIVE ORDER: ISSUED. / REMAINS IN EFFECT / MODIFIED. / TERMINATED.
☐ FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. ☐ WORK FURLOUGH, REPORT: _____ TO 5600 OVERLAND AVE. STE 190, SAN DIEGO 8:00 A.M.
☐ **COMMITMENT TO** ☐ **CA. DEPT. OF CORRECTIONS & REHAB.** ☐ **DIVISION OF JUVENILE JUSTICE** ☐ **SAN DIEGO COUNTY SHERIFF (PC1170(h)/2057)** ON COUNT _____ CODE & NO. _____ FOR _____ LOWER / MIDDLE / UPPER / INDETERMINATE TERM OF _____ YEARS / MONTHS / TO LIFE.
☐ EXECUTION OF CONCLUDING ☐ _____ DAYS ☐____ MONTHS ☐ _____ YEARS OF SENTENCE IS SUSPENDED, DURING WHICH TIME THE DEFT. SHALL BE SUBJECT TO MANDATORY SUPV. BY THE PROB. DEPT. (PC1170(h)(5)(b)). TERMS AND CONDITIONS SET FORTH IN THE ORDER GRANTING MANDATORY SUPV. (CRM-255).
☐ PER PC1170(d) ☐ PER WI1737 ☐ PRINCIPAL COUNT. ☐ STIPULATED SENTENCE. ☐ NO EARLY RELEASE OF ANY TYPE AUTHORIZED.
☐ SENTENCE PER PC667(b)-(i)/1170.12. ☐ NOTICE OF FIREARMS PROHIBITION GIVEN PER PC29805.
☐ NO VISITATION PER PC1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES.
☐ TESTING: ☐ COMPLIANCE WITH PC296 VERIFIED. ☐ DNA (PC296) ☐ HIV (PC1202.1)
☐ DEFENDANT ADVISED RE: PAROLE / APPEAL RIGHTS. ☐ **REGISTER** PER ☐ PC290 ☐ HS11590 ☐ PC457.1 ☐ PC186.30
☐ **DEFENDANT TO PAY: FINE** OF $_____ INCLUDING PENALTY ASSESSMENT, PLUS THE FOLLOWING:
☐ INSTALLMENT/ACCOUNTS RECEIVABLE FEE (PC1205(e)) $_____. ☐ DRUG PROGRAM FEE (HS11372.7) $_____ .
☐ LAB ANALYSIS FEE (HS11372.5) $_____. ☐ THEFT FINE (PC1202.5) $ _____.
☐ COURT OPERATIONS ASSESSMENT (PC1465.8] $ _____. ☐ CRIM JUSTICE ADMIN FEE (GC29550 et seq.] $ _____.
☐ CRIMINAL CONVICTION ASSESSMENT (GC70373) $ _____. ☐ SEX OFFENDER REG. FINE (PC290.3) $_____.
☐ PROB. HAVING BEEN FORMALLY REVOKED, THE PREVIOUS REST. FINE OF $ _____, SUSP. PER PC1202.44, IS NOW DUE.
☐ **RESTITUTION FINES:** $ _____ (PC1202.4(b)) PLUS 10% (PC1202.4(l)) FORTHWITH (PC2085.5)
$ _____ (PC1202.44/PC1202.45) SUSPENDED UNLESS PROBATION/PAROLE/SUPERVISION REVOKED.
☐ **RESTITUTION TO VICTIM(S)** PER P.O.'S REPORT / RESTITUTION FUND (PC1202.4(f)) $_____ / IN AN AMOUNT TO BE DETERMINED. ☐ JOINT & SEVERAL. ☐ AT COMBINED RATE OF $_____ PER MONTH TO START 60 DAYS AFTER RELEASE / ON _____.
☐ **REPORT TO** ☐ PROBATION ☐ REVENUE & RECOVERY ☐ COURT COLLECTIONS ☐ FORTHWITH. ☐ WITHIN 72 HRS. OF RELEASE FROM CUSTODY.

| DAYS CREDIT FOR TIME SERVED | |
|---|---|
| _____ | LOCAL |
| _____ | STATE INST. |
| _____ | PC4019 *[2/4]* |
| _____ | PC4019 *[2/2]* |
| _____ | PC4019 (b)(1)/(c)(1) *[2/2]* |
| _____ | PC4019(b)(2)/(c)(2) limited *[2/4]* |
| _____ | PC2933(e)(1) *[1/1]* |
| _____ | PC2933(e)(3) disqualified *[2/4]* |
| _____ | PC2933.1 *[15%]* |
| _____ | RESIDENTIAL TREATMENT |
| _____ | TOTAL CREDITS |

**PROCEEDINGS SUSPENDED** ☐ PER **PC1368**, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.)

**FUTURE HEARINGS** WAIVERS: ☐ TIME FOR JUDGMENT. ☐ PRESENCE FOR RESTITUTION HRG. ☐ REFERRED FOR DIAGNOSTIC EVAL. PER PC1203.03. / WI707.2.
_____ CONT. TO / SET FOR _____ AT _____ IN DEPT. _____ ON MOTION OF COURT / DDA / DEFT. / PROB. OFFICER.
☐ TO BE HEARD CONCURRENTLY WITH PRELIMINARY HEARING IN CASE _____. ☐ TO TRAIL CASE(S) _____.

**CUSTODY STATUS** ☒ DEFENDANT REMANDED TO CUSTODY OF SHERIFF ☒ WITHOUT BAIL. ☐ WITH BAIL SET AT $_____
☒ MAY BE RELEASED TO REP. OF ~~PD / PROB.~~ APPROVED RES. TREATMENT PROG. ☐ STAY / SERVE BAL. OF CUST. ☐ WHEN BED AVAIL. ☒ AFTER 120 Actual days CUSTODY.
☐ DEFT. ORDERED RELEASED FROM CUSTODY ☐ ON PROBATION. ☐ ON OWN / SUPERVISED RECOGNIZANCE. ☐ ON DEJ. ☐ ON MANDATORY SUPERVISION.
☐ DEFENDANT TO REMAIN AT LIBERTY ☐ ON BOND POSTED $_____. ☐ ON PROBATION. ☐ ON DEJ. ☐ ON OWN / SUPERVISED RECOGNIZANCE.

**BONDS / WARRANTS** ☐ BENCH WARRANT TO ISSUE, BAIL SET AT $_____. ☐ COUNSEL REPORTS NO CONTACT WITH DEFENDANT.
☐ SERVICE FORTHWITH. ☐ ORDERED WITHHELD TO _____. ☐ BENCH WARRANT ISSUED / ORDERED _____ IS RECALLED / RESCINDED.
☐ DECLARATION OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. ☐ BAIL FORF. IS SET ASIDE. ☐ BAIL ☐ REINSTATED ☐ EXONERATED ☐ FORFEITED
☐ UPON PAYMENT OF COURT COST $ _____ WITHIN 30 DAYS. ☐ COST WAIVED. BOND AMT $_____ BOND NO. _____
BOND COMPANY _____ AGENT _____.

**OTHER** ☐ ALL PROPERTY IMPOUNDED, SEIZED, OR HELD IN CUSTODY IN THIS CASE TO BE DISPOSED OF PER POSSESSING AGENCY'S POLICY.
☐ PROBATION: PREPARE SUPPLEMENTAL REPORT. / SUBMIT POST-SENT. REPORT TO CDCR PER PC1203c. ☐ SEE ATTACHED MINUTES FOR ADDITIONAL ORDERS.
☐ CONCURRENT WITH / CONSECUTIVE TO: _____ **CLERK:** ☐ REGISTRAR OF VOTERS. ☐ DMV ABSTRACT B.A.C.____

OFF Calendar

Date: _____ ATTEST A TRUE COPY, Clerk of the Superior Court by _____, Deputy

Distribution by TL on 9/10 to JAIL DEFT. ATTY. PROS. PROB. R&R Other: _____

SDSC CRM-002B (Rev. 4/14)

**FELONY MINUTES – PRONOUNCEMENT OF JUDGMENT**

CLERK'S CERTIFICATE

The foregoing document, consisting of 1 page(s), is a full, true, and correct copy of the ☒ original ☐ copy on file in this office.

Clerk of the Superior Court

09/12/19 by J. Donahue

Date Deputy

J. Donahue

## DECLARATION OF SERVICE BY CERTIFIED MAIL

**CASE NUMBER: 18-C-17744**

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within

**TRANSMITTAL OF RECORDS OF CONVICTION OF ATTORNEY, including:**

**Certified copy of Amended Complaint – Felony**
**Certified copy of plea form**
**Certified copy of Felony Minutes**
**Certified copy of Felony Minutes Judgment**
**Certified copy of Felony Minutes Judgment**

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2152 1801 85, at San Francisco, on the date shown below, addressed to:

**Estevan R. Lucero**
**Lucero Law, PC**
**3636 4th Ave Ste 202**
**San Diego, CA 92103-4237**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

**N/A**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: October 1, 2019

Signed: _____
Ina M. Strehle
Declarant