SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

NO. 2MN02194 PAGE NO. 1
THE PEOPLE OF THE STATE OF CALIFORNIA VS. CURRENT DATE 05/02/24
DEFENDANT 01: GABRIEL GAXIOLA
LAW ENFORCEMENT AGENCY EFFECTING ARREST: CHP - CENTRAL L.A. STATION

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

CASE FILED ON 08/24/22.
COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING COMMITTED, ON OR ABOUT 05/13/22 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING OFFENSE(S) OF:
COUNT 01: 23152(A) VC MISD
COUNT 02: 23152(B) VC MISD
COUNT 03: 16028(C) VC INF
DL
ALLEGED PRIOR CONVICTION ON COUNT 01 FOR 23152(B) VC ON 01/25/17 IN ORANGE COUNTY HARBOR JUDICIAL DISTRICT UNDER CASE NUMBER 16HM0881.
ALLEGED PRIOR CONVICTION ON COUNT 02 FOR 23152(B) VC ON 01/25/17 IN ORANGE COUNTY HARBOR JUDICIAL DISTRICT UNDER CASE NUMBER 16HM0881.
NEXT SCHEDULED EVENT:
09/07/22 830 AM ARRAIGNMENT DIST METROPOLITAN COURTHOUSE DEPT 066

ON 09/07/22 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 066

CASE CALLED FOR ARRAIGNMENT
PARTIES: E. CARLOS DOMINGUEZ (JUDGE) NELSON CONTRERAS (CLERK)
ELECTRONIC RECORDING (REP) BRADFORD HARRISON (CA)
DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY BILL H. SEKI PRIVATE COUNSEL
DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY BILL H. SEKI PRIVATE COUNSEL
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
MATTER IS CONTINUED TO THE DATE, TIME AND PLACE INDICATED BELOW FOR ARRAIGNMENT AND PLEA.
.
AS A CONDITION OF OWN RECOGNIZANCE, DEFENDANT IS ORDERED NOT

TO DRIVE WITHOUT A VALID CALIFORNIA DRIVER'S LICENSE AND NOT TO DRIVE WITH ANY MEASURABLE AMOUNT OF ALCOHOL IN SYSTEM.
.
DEFENDANT HAS COMPLETED A 90-DAY TREATMENT PROGRAM.
.
DEFENDANT WILL CONTINUE ATTENDING A.A. MEETINGS.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
10/25/22 830 AM ARRAIGNMENT AND PLEA DIST METROPOLITAN COURTHOUSE DEPT 066

CUSTODY STATUS: RELEASED ON OWN RECOGNIZANCE

ON 10/25/22 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 066

CASE CALLED FOR ARRAIGNMENT AND PLEA
PARTIES: MICHAEL D. ABZUG (JUDGE) NELSON CONTRERAS (CLERK)
ELECTRONIC RECORDING (REP) BRADFORD HARRISON (CA)
DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY BILL H. SEKI PRIVATE

COUNSEL
DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY
BILL H. SEKI PRIVATE COUNSEL
MATTER IS CONTINUED TO THE DATE AND TIME INDICATED
BELOW FOR ARRAIGNMENT AND PLEA.
.
AS A CONDITION OF OWN RECOGNIZANCE RELEASE, DEFENDANT IS ORDERED
NOT TO DRIVE WITHOUT A VALID CALIFORNIA DRIVER'S LICENSE AND NOT
TO DRIVE WITH ANY MEASURABLE AMOUNT OF ALCOHOL IN SYSTEM.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
11/29/22 830 AM ARRAIGNMENT AND PLEA DIST METROPOLITAN COURTHOUSE DEPT
066

ON 11/29/22 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 066

CASE CALLED FOR ARRAIGNMENT AND PLEA
PARTIES: JERRY B. MARSHAK (JUDGE) ALAIN GALINDO (CLERK)
ELECTRONIC RECORDING (REP) BRADFORD HARRISON (CA)
DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY BILL H. SEKI PRIVATE
COUNSEL
DEFENDANT PLEADS NOT GUILTY TO COUNT 01, 23152(A) VC.
DEFENDANT PLEADS NOT GUILTY TO COUNT 02, 23152(B) VC.
DEFENDANT PLEADS NOT GUILTY TO COUNT 03, 16028(C) VC.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
-DO NOT DRIVE A MOTOR VEHICLE WITHOUT A VALID DRIVER'S LICENSE IN
YOUR POSSESSION OR WITHOUT LIABILITY INSURANCE IN AT LEAST THE
MINIMUM AMOUNTS REQUIRED BY LAW.
-DO NOT DRIVE ANY VEHICLE WITH ANY MEASURABLE AMOUNT OF ALCOHOL
OR DRUGS IN YOUR BLOOD OR REFUSE TO TAKE AND COMPLETE ANY BLOOD
ALCOHOL OR DRUG CHEMICAL TEST, ANY FIELD SOBRIETY TEST, AND ANY
PRELIMINARY ALCOHOL SCREENING TEST, WHEN REQUESTED BY ANY PEACE
OFFICER.
DEFENDANT DENIES PRIOR CONVICTION ON COUNT 01 FOR CASE 16HM0881.

DEFENDANT DENIES PRIOR CONVICTION ON COUNT 02 FOR CASE 16HM0881.
MATTER IS CONTINUED FOR PRE-TRIAL IN DEPARTMENT 74 AT 8:30 A.M.
ON JANUARY 23,2023.
.
TCIS ENTRY MADE BY D.GONZALEZ.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
01/23/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 45

CUSTODY STATUS: RELEASED ON OWN RECOGNIZANCE

ON 01/23/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: MARTHA MATTHEWS (JUDGE) RONALD SEGALINI (CLERK)
ELECTRONIC RECORDING (REP) JOSEF A. CASTIEL (CA)
DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY BILL H. SEKI PRIVATE

COUNSEL
DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY
BILL H. SEKI PRIVATE COUNSEL
ON DEFENSE MOTION PRETRIAL HEARING IS CONTINUED TO 2/9/23, AT
8:30AM, IN DEPARTMENT 74, AS DAY 0 OF 30, WITH LAST DAY 3/13/23.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
02/09/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 30

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 02/09/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING

PARTIES: MARTHA MATTHEWS (JUDGE) JUAN CARLOS OLIVARES (CLERK)
ELECTRONIC RECORDING (REP) JONATHAN ANDI TANG (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY BILL H. SEKI PRIVATE COUNSEL
PRETRIAL HEARING IS TRAILED TO FEBRUARY 22, 2023, AT 8:30 A.M.
IN DEPARTMENT 74, AS DAY 13 OF 30.
.
LAST DAY REMAINS: 03-13-2023.
.
ENTRY BY: J.OLIVARES.
.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
NEXT SCHEDULED EVENT:
02/22/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 13 OF 30

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 02/22/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: MARTHA MATTHEWS (JUDGE) JUAN CARLOS OLIVARES (CLERK)
ELECTRONIC RECORDING (REP) JONATHAN ANDI TANG (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY BILL H. SEKI PRIVATE COUNSEL
'(1)NOTICE OF MOTION AND MOTION TO CONTINUE TRIAL DATE PURSUANT
TO PENAL CODE SECTION 1050; (2) MEMORANDUM OF POINTS AND
AUTHORITIES; AND (3) DECLARATION OF BILL H. SEKI IN SUPPORT
THEREOF' IS SUBMITTED AND FILED THIS DATE.
.
DEFENSE 1050 MOTION IS GRANTED.
.
PRETRIAL HEARING IS CONTINUED TO MARCH 30, 2023, AT 8:30 A.M.
IN DEPARTMENT 74, AS DAY 0 OF 30.
.
NEW LAST DAY: 05-01-2023.

.
ENTRY BY: J.OLIVARES.
.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
03/30/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 30

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 03/30/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: MARTHA MATTHEWS (JUDGE) JUAN CARLOS OLIVARES (CLERK)
ELECTRONIC RECORDING (REP) JONATHAN ANDI TANG (CA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY BILL H. SEKI PRIVATE COUNSEL
PRETRIAL HEARING IS CONTINUED TO APRIL 26, 2023, AT 8:30 A.M.
IN DEPARTMENT 74, AS DAY 0 OF 30.
.
NEW LAST DAY: 05-26-2023.
.
ENTRY BY: J.OLIVARES.
.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
04/26/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 30

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 04/26/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING

PARTIES: FREDERICK ROTENBERG (JUDGE) JUAN CARLOS OLIVARES (CLERK)
ELECTRONIC RECORDING (REP) JONATHAN ANDI TANG (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY BILL H. SEKI PRIVATE COUNSEL
PRETRIAL HEARING IS CONTINUED TO MAY 25, 2023, AT 8:30 A.M.
IN DEPARTMENT 74, AS DAY 0 OF 30. DEFENDANT WAIVES TIME.
.
ENTRY BY: J.OLIVARES.
.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
05/25/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 30

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 05/25/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: FREDERICK ROTENBERG (JUDGE) ERIK BUSTOS (CLERK)
ELECTRONIC RECORDING (REP) JONATHAN ANDI TANG (CA)
DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY BILL H. SEKI PRIVATE COUNSEL
DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY BILL H. SEKI PRIVATE COUNSEL
MATTER IS CONTINUED FOR PRETRIAL HEARING TO JULY 13, 2023, AT 8:30 A.M., IN DEPARTMENT 074 AS DAY 0 OF 30.
.
NO FURTHER CONTINUANCES.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:
07/13/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 30

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 07/13/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: JERRY B. MARSHAK (JUDGE) JUAN CARLOS OLIVARES (CLERK)
ELECTRONIC RECORDING (REP) MATTHEW P C BENHAM (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DAVID DIAMOND PRIVATE COUNSEL
APPEARING BY WEBEX(AUDIO).
PRIVATE COUNSEL BILL H. SEKI IS RELIVED AS DEFENSE COUNSEL.
.
PRIVATE COUNSEL DAVID DIAMOND IS APPOINTED AS DEFENSE COUNSEL.
.
'NOTICE OF MOTION AND MOTION TO SUPPRESS EVIDENCE; POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO SUPPRESS EVIDENCE PURSUANT TO PENAL CODE 1538.5 AND NOTICE OF MOTION TO TRAVERSE WARRANT

(FRANKS V DELAWARE)' IS SUBMITTED AND FILED THIS DATE.
.
CASE IS TRANSFERRED TO DEPARTMENT 71 FOR 1538.5/FRANKS MOTION.
.
PRETRIAL HEARING AND 1538.5 MOTION IS CONTINUED TO AUGUST 03, 2023, AT 8:30 A.M., IN DEPARTMENT 71, AS DAY 0 OF 11.
.
DEFENDANT IS ORDERED TO APPEAR ON THE NEXT COURT DATE OR APPEAR 977(A) BY COUNSEL.
.
OR IS CONTINUED ON THE SAME TERMS AND CONDITIONS.
.
LAST DAY: 08-14-2023.
.

ENTRY BY: J.OLIVARES.
.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
08/03/23 830 AM PRETRIAL AND MOTION DIST METROPOLITAN COURTHOUSE DEPT 071
DAY 00 OF 11

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 07/20/23 AT 830 AM :

BENCH BRIEF FILED

ON 08/03/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 071

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 AND MOTION
PARTIES: MARAL INJEJIKIAN (JUDGE) KIMBERLEY CROSBY (CLERK)
YVETTE BONILLA (REP) KAELEE EPSTEIN (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DAVID DIAMOND PRIVATE COUNSEL
PEOPLE OPPOSE THE MOTION BEING HEARD TODAY
.
MATTER TRANSFERRED FORTHWITH TO DEPARTMENT 74.
NEXT SCHEDULED EVENT:
08/03/23 900 AM PRETRIAL AND MOTION DIST METROPOLITAN COURTHOUSE DEPT 074

ON 08/03/23 AT 900 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL AND MOTION
PARTIES: JERRY B. MARSHAK (JUDGE) ALAIN GALINDO (CLERK)
ELECTRONIC RECORDING (REP) MATTHEW P C BENHAM (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DAVID DIAMOND PRIVATE COUNSEL
THE MATTER IS CALLED FOR HEARING ON MOTION PURSUANT TO PENAL CODE SECTION 1538.5.
.
WITNESS ERIC HERNANDEZ IS PLACED UNDER OATH AND TESTIFIES ON BEHALF OF THE PEOPLE.
.
THE MOTION IS HEARD, ARGUED, AND PLACED UNDER SUBMISSION.
.
THE MATTER IS CONTINUED FOR PRETRIAL AND MOTION HEARING TO AUGUST 09, 2023 AT 8:30 A.M., IN DEPARTMENT 74.
WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:
08/09/23 830 AM PRETRIAL AND MOTION DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 15

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 08/09/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL AND MOTION
PARTIES: JERRY B. MARSHAK (JUDGE) ALAIN GALINDO (CLERK)
ELECTRONIC RECORDING (REP) MATTHEW P C BENHAM (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DAVID DIAMOND PRIVATE COUNSEL APPEARING BY WEBEX
JOSEF CASTIEL (CA)
ORDER DENYING DEFENSE MOTION TO SUPPRESS EVIDENCE PURSUANT TO PENAL CODE SECTION 1538.5 AND MOTION TO TRAVERSE SEARCH WARRANT

IS FILED.
.
LAST DAY FOR TRIAL IS AUGUST 24, 2023.
.
ALL PARTIES HAVE ANNOUNCED READY.
.
TRIAL TIME ESTIMATE IS 07 DAYS.
.
THERE IS NO OUTSTANDING DISCOVERY.
.
THE PARTIES ARE ORDERED TO APPEAR IN DEPARTMENT 71 FOR TRIAL SETTING ON AUGUST 14, 2023 AT 8:30 A.M., AS DAY 05 OF 15.
NEXT SCHEDULED EVENT:
08/14/23 830 AM JURY TRIAL DIST METROPOLITAN COURTHOUSE DEPT 071
DAY 05 OF 15

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 08/09/23 AT 1000 AM :

NOTICE OF APPEAL CR-132 IS RECEIVED
MATTER PREV SET/REMAIN ON CLDR

ON 08/10/23 AT 830 AM :

MOTION FOR CONTINUANCE FILED

ON 08/10/23 AT 130 PM :

NOTICE OF MOTION AND MOTION TO STAY PROCEEDINGS PENDING APPEAL FILED.
.

ON 08/11/23 AT 400 PM IN METROPOLITAN COURTHOUSE DEPT CLK

CASE CALLED FOR NTC OF APPEAL FILED-DEFNDNT
PARTIES: NONE (JUDGE) NONE (CLERK)
NONE (REP) KAELEE EPSTEIN ()
DEFENDANT IS NOT PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL
NOTICE OF APPEAL RECEIVED AND FILED. L.C.
NEXT SCHEDULED EVENT:
MATTER PREV SET/REMAIN ON CLDR

ON 08/14/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 071

CASE CALLED FOR JURY TRIAL
PARTIES: JANA M. SENG (JUDGE) KIMBERLEY CROSBY (CLERK)
YVETTE BONILLA (REP) KAELEE EPSTEIN (CA)
DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY DAVID DIAMOND PRIVATE COUNSEL
DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY

DAVID DIAMOND PRIVATE COUNSEL
NOTICE OF MOTION AND MOTION TO STAY PROCEEDINGS PENDING APPEAL FILED.
.
DEFENSE 1050 MOTION HEARD, ARGUED AND GRANTED OVER THE PEOPLE'S OBJECTION AS INDICATED IN THE OFFICIAL COURT TRANSCRIPTS.
.
LAST DAY FOR TRAIL 10-11-23.
.
DEFENSE MOTION TO STAY PROCEEDINGS ID DENIED ISSUE WAS HEARD AND LITIGATED IN DEPT. 74 PREVIOUSLY.
.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
09/26/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 15

ON 09/12/23 AT 200 PM :

NOTICE OF MOTION TO MOTION TO QUASH SUBPEONA FILED.

ON 09/19/23 AT 230 PM :

CALIFORNIA HIGHWAY PATROL'S OPPOSITION TO MOTION FOR PRETRIAL DISCOVERY IS FILED THIS DATE.
.
ENTRY BY: C. GONZALEZ.

ON 09/26/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: DAVID BERGER (JUDGE) ALAIN GALINDO (CLERK)
ELECTRONIC RECORDING (REP) MATTHEW P C BENHAM (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DAVID DIAMOND PRIVATE COUNSEL

JENNIFER M. YANG, OFFICE OF THE ATTORNEY GENERAL, APPEARS ON BEHALF OF CALIFORNIA HIGHWAY PATROL CUSTODIAN OF RECORDS
.
NAREK SHAMORADIAN, OFFICE OF THE ATTORNEY GENERAL, APPEARS ON BEHALF OF CALIFORNIA HIGHWAY PATROL CUSTODIAN OF RECORDS
ON COURTS OWN MOTION, THE MATTER IS CONTINUED FOR PRETRIAL HEARING TO OCTOBER 12, 2023 AT 8:30 A.M., IN DEPARTMENT 74.
.
LAST DAY: OCTOBER 27, 2023
.
ALL PARTIES ARE ORDERED TO APPEAR ON THE NEXT COURT DATE.
.
PREVIOUSLY ORDERED OWN RECOGNIZANCE CONDITIONS REMAIN IN EFFECT.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
10/12/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 15

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 09/27/23 AT 400 PM IN METROPOLITAN COURTHOUSE DEPT CLK

CASE CALLED FOR NTC-REPORTER PREP TRNSCRIPT
PARTIES: NONE (JUDGE) NONE (CLERK)
NONE (REP) MATTHEW P C BENHAM ()
DEFENDANT IS NOT PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL
FOR THE RECORD UPLOADED TO SHAREPOINT. L.C.
NEXT SCHEDULED EVENT:
MATTER PREV SET/REMAIN ON CLDR

ON 10/11/23 AT 830 AM :

CALIFORNIA HIGHWAY PATROL'S NOTICE OF MOTION AND MOTION TO QUASH DEFENSE SUBPOENA DUCES TECUM ID FILED THIS DATE.
.
.

MATTER PREV SET/REMAIN ON CLDR

ON 10/12/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: JERRY B. MARSHAK (JUDGE) ALAIN GALINDO (CLERK)
ELECTRONIC RECORDING (REP) MATTHEW P C BENHAM (CA)
DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY DAVID DIAMOND PRIVATE COUNSEL
APPEARING BY PAUL GELLER
JENNIFER M. YANG OFFICE OF THE ATTORNEY GENERAL APPEARS ON BEHALF OF CALIFORNIA HIGHWAY PATROL CUSTODIAN OF RECORDS
.
NAREK SHAMORADIAN OFFICE OF THE ATTORNEY GENERAL APPEARS ON BEHALF OF CALIFORNIA HIGHWAY PATROL CUSTODIAN OF RECORDS
.
DEFENDANT'S MOTION FOR PRETRIAL PITCHESS DISCOVERY IS GRANTED.
.

PEOPLE'S MOTION TO QUASH SUBPOENA DUCES TECUM IS GRANTED.
.
CALIFORNIA HIGHWAY PATROL'S MOTION TO QUASH DEFENSE SUBPOENA
DUCES TECUM IS GRANTED.
.
IN-CAMERA REVIEW OF CALIFORNIA HIGHWAY PATROL DOCUMENTS IS HELD.
.
THE MATTER IS SET FOR PRETRIAL HEARING ON OCTOBER 24, 2023
AT 8:30 A.M., IN DEPARTMENT 74.
.
LAST DAY: NOVEMBER 08, 2023
.
PREVIOUSLY ORDERED OWN RECOGNIZANCE CONDITIONS REMAIN IN EFFECT.
COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
10/24/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074

DAY 00 OF 15

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 10/24/23 AT 830 AM IN METROPOLITAN COURTHOUSE DEPT 074

CASE CALLED FOR PRETRIAL HEARING
PARTIES: JERRY B. MARSHAK (JUDGE) MELISSA GARRIDO (CLERK)
ELECTRONIC RECORDING (REP) MATTHEW P C BENHAM (CA)
DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY DAVID DIAMOND PRIVATE
COUNSEL APPEARING BY WEBEX
DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY
DAVID DIAMOND PRIVATE COUNSEL APPEARING BY WEBEX
DEFENSE COUNSEL'S ORAL REQUEST TO CONTINUE THIS MATTER IS HEARD
AND GRANTED.
.
PRETRIAL HEARING IS CONTINUED TO NOVEMBER 28, 2023 AT 8:30 A.M.,
IN DEPARTMENT 74 AS DAY 0 OF 15.
.
LAST DAY: 12/13/2023.

COURT ORDERS AND FINDINGS:
-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
WAIVES STATUTORY TIME.
NEXT SCHEDULED EVENT:
11/28/23 830 AM PRETRIAL HEARING DIST METROPOLITAN COURTHOUSE DEPT 074
DAY 00 OF 15

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01

November 28, 2023

The People of the State of California
vs.
GAXIOLA, GABRIEL

8:30 AM

Honorable Jerry B. Marshak, Judge
A. Galindo, Judicial Assistant

Proceedings Electronically Recorded,
Court Reporter

NATURE OF PROCEEDINGS: Pretrial Hearing

The following parties are present for the aforementioned proceeding:

David Douglas Diamond, Private Counsel via WEBEX
Matthew Peter Benham, Deputy City Attorney via WEBEX
Jennifer Mei Yang, California State Deputy Attorney General

The Defendant's presence is waived pursuant to Penal Code section 977(a).

The matter is called for Pretrial Hearing.

Code of Civil Procedures 170.3 Statement of Disqualification is stricken pursuant to Courts order dated November 27, 2023.

Pretrial and Motion day 00 of 30 is continued to **Tuesday, December 19, 2023**, at **8:30 AM**, **Metropolitan Dept. - 74**.
The Defendant waives time.

Last Day: 01/18/2024

Defendant Remains on Own Recognizance.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01 | **December 19, 2023**

The People of the State of California | **8:30 AM**

vs.

GAXIOLA, GABRIEL

Honorable Jerry B. Marshak, Judge
A. Galindo, Judicial Assistant

Proceedings Electronically Recorded,
Court Reporter

VC23152(a), VC23152(b), VC16028(C)

NATURE OF PROCEEDINGS: Pretrial Hearing

The following parties are present for the aforementioned proceeding:

David Douglas Diamond, Private Counsel via WEBEX
Matthew Peter Benham, Deputy City Attorney
Narek Shahmoradian, California State Deputy Attorney General

The Defendant's presence is waived pursuant to Penal Code section 977(a).

The matter is called for Pretrial Hearing.

Motion to quash testimony of DCA Tang is heard, argued, and granted.

California Highway Patrol's Motion To Quash Defense Subpoena Duces Tecum is heard, argued, and granted.

Order Requiring Discovery pursuant to Penal Code Section 1054.5 is conducted and completed.

Pretrial Hearing day 00 of 15 is continued to **Monday, January 8, 2024**, at **8:30 AM**, **Metropolitan Dept. - 74.**
The Defendant waives time.

Last Day: 01/23/2024

Defendant Remains on Own Recognizance.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01 **January 8, 2024**

The People of the State of California **8:30 AM**
vs.
GAXIOLA, GABRIEL

Honorable Jerry B. Marshak, Judge
A. Salgado, Judicial Assistant

Proceedings Electronically Recorded,
Court Reporter

VC23152(a), VC23152(b), VC16028(C)

NATURE OF PROCEEDINGS: Pretrial Hearing

The following parties are present for the aforementioned proceeding:

GABRIEL GAXIOLA, Defendant
David Douglas Diamond, Private Counsel via Webex
Matthew Peter Benham, Deputy City Attorney

The matter is called for Pretrial Hearing.

On Defendant's motion, Pretrial Hearing as Day 00 of 15 and Defense's Motion to Compel Discovery is continued to **Tuesday, January 30, 2024**, at **8:30 AM, Metropolitan Dept. - 74.**
The Defendant waives time for trial.
The Defendant is ordered to return on the above date.

Defendant Remains on Own Recognizance.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01

January 30, 2024

8:30 AM

The People of the State of California
vs.
GAXIOLA, GABRIEL

Honorable Jerry B. Marshak, Judge
A. Galindo, Judicial Assistant

Proceedings Electronically Recorded,
Court Reporter

VC23152(a), VC23152(b), VC16028(C)

NATURE OF PROCEEDINGS: Pretrial Hearing

The following parties are present for the aforementioned proceeding:

GABRIEL GAXIOLA, Defendant
David Douglas Diamond, Private Counsel
Matthew Peter Benham, Deputy City Attorney

The matter is called for Pretrial Hearing.

Defense written Motion To Compel is heard, argued, and denied.

Pretrial Hearing day 00 of 20 is continued to **Friday, February 9, 2024**, at **8:30 AM, Metropolitan Dept. - 74.**
The Defendant waives time.
The Defendant is ordered to return on the above date.
Last Day: 02/29/2024

Previously ordered own recognizance conditions remain in effect.

Defendant Remains on Own Recognizance.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01 | **February 9, 2024**

The People of the State of California | **8:30 AM**

vs.

GAXIOLA, GABRIEL

Honorable Jerry B. Marshak, Judge
A. Galindo, Judicial Assistant

Proceedings Electronically Recorded,
Court Reporter

VC23152(a), VC23152(b), VC16028(C)

NATURE OF PROCEEDINGS: Pretrial Hearing

The following parties are present for the aforementioned proceeding:

GABRIEL GAXIOLA, Defendant
David Douglas Diamond, Private Counsel
Matthew Peter Benham, Deputy City Attorney

The matter is called for Pretrial Hearing.

Written Advisement of Rights and Waivers is filed.

The Defendant is advised of, understands, and personally waives the following rights, the right against self incrimination, the right to confront and cross examine witnesses, the right to produce evidence and present a defense, the right to a Preliminary Hearing, and the right to a Trial by Court or Jury.

The Defendant is advised of the nature of charges, elements of the offenses, and possible defenses to such charges. The Defendant is advised of the possible consequences of a plea of guilty or nolo contendere, including maximum penalty and administrative sanctions and the possible legal effects and maximum penalties incident to subsequent convictions for the same or similar offenses.

The Defendant is advised that if not a United States citizen, a conviction of the offense charged will have the consequences of deportation, exclusion from admission or reentry to the United States, and denial of naturalization and amnesty.

The Defendant is advised of the effects of probation.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01 **February 9, 2024**

The People of the State of California **8:30 AM**

vs.

GAXIOLA, GABRIEL

Counsel for the Defendant joins in the waivers pursuant to People vs. West.
The Court finds that each waiver is knowingly, understandingly, voluntarily, and explicitly made.
The Court finds there is a factual basis for the Defendant's plea.
The Court accepts the plea.

Counsel for the Defendant joins in the waivers pursuant to People vs. Alford.

The Defendant admits a prior conviction in case number 16HM08811 on January 25, 2017 in Orange County.

As to Count 002: VC23152(b), Misdemeanor, the Defendant enters a plea of Nolo Contendere with the approval of the Court. The Court finds the Defendant guilty.

Disposition as to Count 002, VC23152(b), Misdemeanor: Conviction After Plea

The Defendant waives time for sentencing.

The Defendant waives arraignment for judgment and states there is no legal cause why sentence should not be pronounced. The Court orders the following judgment:

SUPERVISION:

As to Count 002 VC23152(b), Misdemeanor: Imposition of Sentence Suspended
Defendant is placed on **Summary Probation** for a period of **60 Months** upon the following terms and conditions:

CONDITIONS OF SUPERVISION:

DUI08: Not operate a motor vehicle with any measurable amount of alcohol in blood system.
DUI15: Do not drive a motor vehicle without a valid driver's license in your possession or without liability insurance in at least the minimum amounts required by law.
DUI16: Defendant advised to comply if ordered by Department of Motor Vehicles to install an Ignition Interlock Device as a condition of probation.
FIN01: Make restitution to the victim per Penal Code section 1202.4(f) in an amount to be determined at a hearing.
FIN13: Pay probation revocation restitution fine pursuant to Penal Code section 1202.44, which may be enforced in the manner provided for the enforcement of money judgment, in the amount of $150.00
PROB12: Obey all laws and orders of the Court.

LAM2MN02194-01 **February 9, 2024**

The People of the State of California **8:30 AM**
vs.
GAXIOLA, GABRIEL

PROB24: The Defendant is handed a copy of the conditions of probation in open court.
PROB26: Defendant acknowledges that they understand and accept each term and condition of probation.

Any mandatory and non-punitive fees or assessments ordered in this case are not conditions of supervision.

Unless otherwise specified, this order constitutes a single grant of supervision for multiple counts, and all terms and conditions imposed apply to all counts.

CONFINEMENT/FINE:

As to Count 002 VC23152(b), Misdemeanor:
The Defendant is ordered to serve 4 Days in City Jail as a condition of probation.
The Defendant is to pay a fine of $500.00 plus penalty assessments.

The Defendant is ordered to surrender to City Jail to serve 4 days in custody.

The Defendant enters a waiver in re People vs. Cruz.

PROGRAM(S):

- Enroll within 21 days from today or release from custody and successfully complete an approved **licensed 18 month Driving Under the Influence program**
- Enroll in and complete **MADD Victim Impact program**
- Attend 52 **Alcoholics/Narcotics Anonymous meetings** (at a rate of 2 times per week)

The Defendant submits and files proof of enrollment in the SB-38 Alcohol Education program.

DRIVER'S LICENSE CONDITION(S):

At the time of the offense the Defendant was under the influence of alcohol, with a blood alcohol level of .15%.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01 **February 9, 2024**

The People of the State of California **8:30 AM**

vs.

GAXIOLA, GABRIEL

The Defendant is advised and understands that being under the influence of alcohol or drugs, or both, impairs the ability to safely operate a motor vehicle, and is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. Defendant is further advised that if as a result of driving under the influence of alcohol or drugs, or both, and someone is killed, the Defendant can be charged with murder.

Pay a restitution fine in the amount of $150.00 pursuant to Penal Code section 1202.4(b).

Case total fines and/or fees in the amount of $2,454.00 are due on or before Friday, August 9, 2024.

Progress Report is set for **Friday, April 12, 2024,** at **8:30 AM** in **Metropolitan Dept. - 74.**

The Defendant is ordered to return on the above date.

The matter is further set for Restitution Hearing Setting on the next court date.

The matter is set for Non-Appearance Proof of Jail Time on March 01, 2024.

Non-Appearance Hearing is set for **Friday, March 1, 2024,** at **8:30 AM** in **Metropolitan Dept. - 74.**

Disposition as to Count 001, VC23152(a), Misdemeanor: Dismissed Due to Plea Negotiation

Disposition as to Count 003, VC16028(C), Infraction: Dismissed Due to Plea Negotiation

Refusal allegation is stricken by request of the People.

Defendant On Probation.

Commitment issued.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01 | **March 1, 2024**

The People of the State of California | **8:30 AM**

vs.

GAXIOLA, GABRIEL

Honorable Jerry B. Marshak, Judge
A. Galindo, Judicial Assistant

Proceedings Electronically Recorded,
Court Reporter

VC23152(a), VC23152(b), VC16028(C)

NATURE OF PROCEEDINGS: Non-Appearance Hearing

The following parties are present for the aforementioned proceeding:

No Appearances

The matter is called for Non-Appearance Hearing.

The matter is calendared in error.

The matter previously set for April 12, 2024 at 8:30 AM in Department 74, remains on calendar.

Defendant On Probation.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Criminal Division

Metropolitan Dept. - 74

LAM2MN02194-01 | **April 12, 2024**

The People of the State of California | **8:30 AM**

vs.

GAXIOLA, GABRIEL

Honorable Jerry B. Marshak, Judge
R. Segalini, Judicial Assistant

Proceedings Electronically Recorded,
Court Reporter

VC23152(a), VC23152(b), VC16028(C)

NATURE OF PROCEEDINGS: Progress Report

The following parties are present for the aforementioned proceeding:

David Douglas Diamond, Private Counsel

The Defendant's presence is waived pursuant to Penal Code section 977(a).
Nishi Dayal standing in for defense counsel.

The matter is called for Progress Report.

Defense counsel appears via webex. Proof of madd program and 4 days serve in custody is submitted.

On Court's motion, Progress Report is continued to **Wednesday, October 9, 2024**, at **8:30 AM**, **Metropolitan Dept. - 74**.

The Defendant is ordered to return on the above date.

Defendant On Probation.

COURT

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA,

VA 09/07/2022 Bkg no.

Plaintiff,

vs.

GABRIEL GAXIOLA [redacted] M
DBA/AKA:

VC23152(a)/77/40

VC23152(b)/77/40,VC16028(c)

Defendant(s).

MISDEMEANOR COMPLAINT

CCMS Case No.: 2MN02194
Court Case No.:

FILED
SHERRI R. CARTER
Executive Officer/Clerk

By_____
Deputy Clerk

FILED
Superior Court of California
County of Los Angeles
AUG 2 - 2022
Sherri R. Carter, Executive Officer/Clerk of Court
By _____ Deputy
Dawn Long

Issued by
MICHAEL N. FEUER
City Attorney

TALEEN TERTZAKIAN
Supervising Attorney

By: JOYCE YAMAMOTO
Deputy City Attorney
(AL)

Comes now the undersigned and states that he/she/they is/are informed and believe(s), and upon such information and belief declare(s):

COUNT I

That on or about 05/13/2022 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (a) of Section 23152 of the California Vehicle Code was committed by the above-named defendant(s) (whose true name(s) to affiant is(are) unknown), who at the time and place last aforesaid, did unlawfully drive a vehicle while under the influence of an alcoholic beverage.

It is further alleged that at the time of arrest for the above offense, the defendant willfully refused a peace officer's request to submit to, and to complete, a chemical test and tests, of his and her blood, and breath, and urine to determine the alcoholic content and the drug content of his and her blood, as required by Subdivision (a) of Section 23612 of the California Vehicle Code and is thus subject to the additional punishment provided for in Vehicle Code Section 23577.

ALLEGATIONS OF PRIOR CONVICTIONS

It is further alleged, pursuant to Vehicle Code section 23540, that within 10 years of the above offense, the above-named defendant(s), (whose true name(s) to affiant is(are) unknown) committed a separate violation of the Vehicle Code that resulted in a conviction having occurred on and about the following date(s):

Code Section	Violation Date	Conviction Date	Docket No.	Court No.
VC23152B	07/10/2016	01/25/2017	16HM08811	30460

MCI 23152(a)/23577/23540/29

COUNT II

For a further, separate and second cause of action being a different offense, belonging to the same class of crimes and offenses set forth in Count I hereof, affiant further alleges that on or about 05/13/2022 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a misdemeanor, to wit, violation of Subdivision (b) of Section 23152 of the California Vehicle Code was committed by the above-named defendant(s) (whose true name(s) to affiant is(are) unknown), who at the time and place last aforesaid, did unlawfully drive a vehicle while having 0.08 percent and more, by weight of alcohol in his and her blood.

It is further alleged that at the time of arrest for the above offense, the defendant willfully refused a peace officer's request to submit to, and to complete, a chemical test and tests, of his and her blood, and breath, and urine to determine the alcoholic content and the drug content of his and her blood, as required by Subdivision (a) of Section 23612 of the California Vehicle Code and is thus subject to the additional punishment provided for in Vehicle Code Section 23577.

ALLEGATIONS OF PRIOR CONVICTIONS

It is further alleged, pursuant to Vehicle Code section 23540, that within 10 years of the above offense, the above-named defendant(s), (whose true name(s) to affiant is(are) unknown) committed a separate violation of the Vehicle Code that resulted in a conviction having occurred on and about the following date(s):

Code Section	Violation Date	Conviction Date	Docket No.	Court No.
VC23152B	07/10/2016	01/25/2017	16HM08811	30460

MCI 23152(b)/23577/23540/29

COUNT III

For a further, separate and third cause of action being a different offense, belonging to the same class of crimes and offenses set forth in Count I hereof, affiant further alleges that on or about 05/13/2022 at and in the City of Los Angeles, in the County of Los Angeles, State of California, a infraction, to wit, violation of Subdivision (c) of Section 16028 of the California Vehicle Code was committed by the above-named defendant(s) (whose true name(s) to affiant is (are) unknown), who at the time and place last aforesaid, did willfully and unlawfully fail to furnish written evidence of financial responsibility upon the request of a peace officer, and regularly employed and salaried employee of a city and county who had been trained as a traffic collision investigator who was summoned to the scene of an accident described in Section 16000 of the California Vehicle Code.

It is further alleged that the defendant was the driver of a motor vehicle that was involved in the accident.

TCIS 16028(c)/29

All of which is contrary to the law and against the peace and dignity of the People of the State of California.

I declare under penalty of perjury, based on information and belief, under the laws of the State of California that the foregoing is true and correct.

Declarant and Complainant

8/9/22

Date

[Signature of Reviewing Deputy City Attorney]

Joyce Yamamoto

[Print Name of Reviewing Deputy City Attorney]

INFORMAL DISCOVERY NOTICE

TO THE ABOVE-NAMED DEFENDANT(S) AND/OR ATTORNEY(S) FOR DEFENDANT(S):

Plaintiff, the People of the State of California, hereby requests discovery/disclosure from the defendant(s) and his or her attorney(s) in this case pursuant to Penal Code Sections 1054.3 and 1054.5.

YOU ARE HEREBY NOTIFIED that if complete disclosure is not made within 15 days of this request, plaintiff will seek -- on or before the next court date, or as soon as practicable thereafter -- a court order enforcing the provisions of Penal Code Section 1054.3, subdivision (a). This is an ongoing request for any of the listed items which become known to the defendant(s) and his or her attorney(s) after the date of compliance.

The written statements and reports attached hereto constitute discoverable materials designated in Penal Code Section 1054.1. Any additional material discoverable pursuant to Penal Code Section 1054.1 that becomes known to plaintiff will be provided to the defense.

If, prior to or during trial, as a result of this request plaintiff obtains additional evidence or material subject to disclosure under a previous defense request or court order pursuant to Penal Code Section 1054.1, plaintiff will disclose the existence of that evidence or material within a reasonable time.

DISCOVERY MATERIALS SHOULD BE DELIVERED TO A DEPUTY CITY ATTORNEY IN MASTER CALENDAR COURT ON THE FIRST TRIAL DATE.