SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

MINUTES

Case : 20WM07704

Name : Diaz, Cesar Hazel 01/09/2024 13:42:12 PM

Date of Action	Text
06/29/2020	Original Complaint filed on 06/29/2020 by Orange County District Attorney.
06/29/2020	Name filed: Diaz, Cesar Hazel
06/29/2020	MISDEMEANOR charge of 23152(a) VC filed as count 1. Date of violation: 06/13/2020.
06/29/2020	MISDEMEANOR charge of 23152(b) VC filed as count 2. Date of violation: 06/13/2020.
06/29/2020	Accusatory pleading filed by the prosecutor pursuant to Penal Code section 959.1.
06/29/2020	Notice to Appear filed.
11/19/2020	COVID-19 Misdemeanor Action Request filed.
11/19/2020	Case referred to Department W1 for review.
11/20/2020	Hearing held on 11/20/2020 at 09:00:00 AM in Department W1 for Chambers Work.
11/20/2020	Judicial Officer: Robert Gerard, Judge
11/20/2020	Clerk: M. Canchola
11/20/2020	No appearance by parties.
11/20/2020	Court read and considered COVID-19 Misdemeanor Action Request.
11/20/2020	Arraignment set on 01/20/2021 at 08:30 AM in Department W1.
11/20/2020	Defendant ordered to appear.
11/20/2020	Copy of Minute Order forwarded to District Attorney's Office
11/20/2020	Copy of Notice to defendant mailed to defendant
11/20/2020	Notice to defendant issued.
12/07/2020	COVID-19 Misdemeanor Action Request. filed.
12/07/2020	Case referred to W1 for review.
12/07/2020	Hearing held on 12/07/2020 at 09:00:00 AM in Department W1 for Chambers Work.
12/07/2020	Judicial Officer: John Zitny, Judge
12/07/2020	Clerk: L. Morfin
12/07/2020	No appearance by parties.
12/07/2020	Court read and considered Misdemeanor Action Request form.
12/07/2020	Arraignment for 01/20/2021 08:30 AM in W1 to remain.
12/07/2020	Defendant ordered to appear.
12/07/2020	Notice to defendant issued.
12/07/2020	Copy of Minute Order forwarded to District Attorney's Office
12/08/2020	Arraignment Letter filed.
12/14/2020	The court finds good cause to reschedule the matter set for ARGN on 01/20/2021 in Department W1 at 08:30 AM to 07/02/2021 in Department W18 at 08:30 AM.
12/15/2020	Rescheduled Hearing Notice sent.
04/14/2021	Calendar Line for ARGN transferred from W18 on 07/02/2021 at 08:30 AM to W1 on 07/02/2021 at 08:30 AM.
06/17/2021	Calendar Line for ARGN transferred from W1 on 07/02/2021 at 08:30 AM to W3 on 07/02/2021 at 08:30 AM.
07/02/2021	Hearing held on 07/02/2021 at 08:30:00 AM in Department W3 for Arraignment.
07/02/2021	Judicial Officer: Scott Van Camp, Commissioner

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Case : 20WM07704

Name : Diaz, Cesar Hazel

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Date of Action	Text
07/02/2021	Clerk: R. Wilder
07/02/2021	Bailiff: A. S. Lee
07/02/2021	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
07/02/2021	People represented by Paige Cavendish, Deputy District Attorney, present.
07/02/2021	Appearance made by Richard Sudar, Retained Attorney, by video.
07/02/2021	Matter heard by video.
07/02/2021	Defendant's appearance is waived pursuant to Penal Code 977(a).
07/02/2021	Canon 3E(1) of the California Code of Judicial Ethics requires a judge to disqualify himself in any proceeding where disqualification is required by law. Canon 3E(2) requires a judge in all trial court proceedings to disclose on the record any information that is reasonably relevant to disqualification under Code of Civil Procedure section 170.1, even if the judge believes there is no actual basis for disqualification. To comply with these requirements, the court discloses the following: 1) I was sworn in as a Commissioner of the Orange County Superior Court on March 1, 2019. 2) Before becoming a commissioner, I worked as a Deputy District Attorney for the Orange County District Attorney's office for about one year and two months. 3) Prior to becoming a Deputy District Attorney, I worked as a Deputy Public Defender for the Orange County Public Defender's office for about eighteen years. 4) My wife, Cynthia Nichols, is currently employed as a Deputy District Attorney for the Orange County District Attorney's office. Her current assignment is the Assistant Head of Court for the D.A.'s office at the West Justice Center. To further comply with the disclosure requirements, the court requests all counsel to examine their case files to determine: (1) whether I had any contact with the case while employed as a Deputy District Attorney or Deputy Public Defender; and (2) whether my wife had any contact with the case as a Deputy District Attorney. If this review reveals that my wife or I have had any contact with the case, please bring it to my attention immediately. I do not believe that any of the foregoing facts or circumstances will affect my ability to be fair and impartial in these proceedings.
07/02/2021	Defendant waives reading of the Original Complaint and advisement of rights.
07/02/2021	To the Original Complaint defendant pleads NOT GUILTY to all counts.
07/02/2021	Defense reserves all motions.
07/02/2021	Informal request for discovery made by Defense.
07/02/2021	Pre Trial set on 09/21/2021 at 08:30 AM in Department W18.
07/02/2021	Defendant enters general time waiver.
07/02/2021	Court orders defendant released on own recognizance.
09/21/2021	Hearing held on 09/21/2021 at 08:30:00 AM in Department W18 for Pre Trial.
09/21/2021	Judicial Officer: Kevin Haskins, Judge
09/21/2021	Clerk: D. Phillips
09/21/2021	Bailiff: A. Ha

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Case : 20WM07704

Name : Diaz, Cesar Hazel 01/09/2024 13:42:12 PM

Date of Action	Text
09/21/2021	Pursuant to the California Code of Judicial Ethics, Canon 3, subsection E(2), Court Disclosure regarding the criminal case filed in the People of the State of California v. Isaac Jones, case number 19CF0869 given by Kevin Haskins, Judge in court.
09/21/2021	People represented by MIchael Zanides, Deputy District Attorney, present.
09/21/2021	Defendant not present in Court represented by Richard Sudar, Retained Attorney.
09/21/2021	Defendant's appearance is waived pursuant to Penal Code 977(a).
09/21/2021	Request for Continuance - Misdemeanor filed.
09/21/2021	Pre Trial continued to 01/11/2022 at 08:30 AM in Department W18 by stipulation of all parties.
09/21/2021	Defendant ordered to appear.
09/21/2021	Defendant enters general time waiver.
09/21/2021	Defendant's release on own recognizance continued.
09/21/2021	Minutes entered by M. Saam on 09/22/2021.
01/11/2022	Hearing held on 01/11/2022 at 08:30:00 AM in Department W18 for Pre Trial.
01/11/2022	Judicial Officer: Kevin Haskins, Judge
01/11/2022	Clerk: K. Rodriguez
01/11/2022	Bailiff: A. Ha
01/11/2022	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
01/11/2022	People represented by Paige Cavendish, Deputy District Attorney, present.
01/11/2022	Defendant not present in Court represented by Jonathan Adam Rapel, Retained Attorney.
01/11/2022	Defendant's appearance is waived pursuant to Penal Code 977(a).
01/11/2022	Pursuant to the California Code of Judicial Ethics, Canon 3, subsection E(2), Court Disclosure regarding the criminal case filed in the People of the State of California v. Isaac Jones, case number 19CF0869 given by Kevin Haskins, Judge in court.
01/11/2022	First Amended Complaint filed by Orange County District Attorney.
01/11/2022	23152(b) VC, dated 07/30/2021, added as other allegation as to count 1.
01/11/2022	23152(b) VC, dated 07/30/2021, added as other allegation as to count 2.
01/11/2022	Copy of first amended complaint given to defense attoreny.
01/11/2022	Counsel acknowledges receipt of the charging document.
01/11/2022	Defendant waives reading and advisement of the First Amended Complaint.
01/11/2022	To the First Amended Complaint defendant pleads NOT GUILTY to all counts.
01/11/2022	Defendant denies allegations.
01/11/2022	Defense reserves all motions.
01/11/2022	Defendant invokes state, federal and constitutional rights.
01/11/2022	Request for Continuance - Misdemeanor filed.
01/11/2022	Pre Trial set on 03/21/2022 at 08:30 AM in Department W18.
01/11/2022	Defendant enters general time waiver.
01/11/2022	Defendant's release on own recognizance continued.
01/11/2022	Minutes entered by L. Sanchez on 01/11/2022.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

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Date of Action	Text
03/21/2022	Hearing held on 03/21/2022 at 08:30:00 AM in Department W18 for Pre Trial.
03/21/2022	Judicial Officer: Kevin Haskins, Judge
03/21/2022	Clerk: A. Saloky
03/21/2022	Bailiff: D. Hinojosa
03/21/2022	Pursuant to the California Code of Judicial Ethics, Canon 3, subsection E(2), Court Disclosure regarding the criminal case filed in the People of the State of California v. Isaac Jones, case number 19CF0869 given by Kevin Haskins, Judge in court.
03/21/2022	People represented by Thomas Collins, Deputy District Attorney, present.
03/21/2022	Defendant not present in Court represented by Jonathan Adam Rapel, Retained Attorney.
03/21/2022	Defendant's appearance is waived pursuant to Penal Code 977(a).
03/21/2022	Request for Continuance - Misdemeanor filed.
03/21/2022	Pre Trial continued to 05/24/2022 at 08:30 AM in Department W18 at request of Defense.
03/21/2022	Defendant enters general time waiver.
03/21/2022	Defendant ordered to appear.
03/21/2022	Defendant's release on own recognizance continued.
03/21/2022	Minutes entered by M. Canchola on 03/21/2022.
05/24/2022	Hearing held on 05/24/2022 at 08:30:00 AM in Department W18 for Pre Trial.
05/24/2022	Judicial Officer: Kevin Haskins, Judge
05/24/2022	Clerk: D. Phillips
05/24/2022	Bailiff: P. Bui
05/24/2022	Pursuant to the California Code of Judicial Ethics, Canon 3, subsection E(2), Court Disclosure regarding the criminal case filed in the People of the State of California v. Isaac Jones, case number 19CF0869 given by Kevin Haskins, Judge in court.
05/24/2022	People represented by Danielle Vicino, Deputy District Attorney, present.
05/24/2022	Defendant not present in Court represented by Jonathan Adam Rapel, Retained Attorney.
05/24/2022	Defendant's appearance is waived pursuant to Penal Code 977(a).
05/24/2022	Request for Continuance - Misdemeanor filed.
05/24/2022	Defendant enters general time waiver.
05/24/2022	Pre Trial continued to 07/21/2022 at 08:30 AM in Department W18 at request of Defense.
05/24/2022	Defendant ordered to appear.
05/24/2022	Defendant's release on own recognizance continued.
05/24/2022	Minutes entered by R. Murphy on 05/25/2022.
07/21/2022	Hearing held on 07/21/2022 at 08:30:00 AM in Department W18 for Pre Trial.
07/21/2022	Judicial Officer: Kevin Haskins, Judge
07/21/2022	Clerk: M. Jimenez
07/21/2022	Bailiff: J. Chao
07/21/2022	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

MINUTES

Case : 20WM07704

Name : Diaz, Cesar Hazel 01/09/2024 13:42:12 PM

Date of Action	Text
07/21/2022	Pursuant to the California Code of Judicial Ethics, Canon 3, subsection E(2), Court Disclosure regarding the criminal case filed in the People of the State of California v. Isaac Jones, case number 19CF0869 given by Kevin Haskins, Judge in court.
07/21/2022	People represented by Richard Angel, Deputy District Attorney, present.
07/21/2022	Appearance made by Richard Sudar, Retained Attorney, by video.
07/21/2022	Defendant's appearance is waived pursuant to Penal Code 977(a).
07/21/2022	Pre Trial continued to 09/01/2022 at 08:30 AM in Department W18 at request of Defense.
07/21/2022	Defendant enters general time waiver.
07/21/2022	Defendant ordered to appear.
07/21/2022	Defendant's release on own recognizance continued.
07/21/2022	Minutes entered by M. Canchola on 07/21/2022.
09/01/2022	Hearing held on 09/01/2022 at 08:30:00 AM in Department W18 for Pre Trial.
09/01/2022	Judicial Officer: Kevin Haskins, Judge
09/01/2022	Clerk: A. Saloky
09/01/2022	Bailiff: J. Chao
09/01/2022	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
09/01/2022	Pursuant to the California Code of Judicial Ethics, Canon 3, subsection E(2), Court Disclosure regarding the criminal case filed in the People of the State of California v. Isaac Jones, case number 19CF0869 given by Kevin Haskins, Judge in court.
09/01/2022	People represented by Danielle Vicino, Deputy District Attorney, present.
09/01/2022	Defendant not present in Court represented by Jonathan Adam Rapel, Retained Attorney.
09/01/2022	Defendant's appearance is waived pursuant to Penal Code 977(a).
09/01/2022	Request for Continuance - Misdemeanor filed.
09/01/2022	Pre Trial continued to 10/12/2022 at 08:30 AM in Department W18 at request of Defense.
09/01/2022	Defendant enters general time waiver.
09/01/2022	Defendant ordered to appear.
09/01/2022	Defendant's release on own recognizance continued.
09/01/2022	Minutes entered by K. Fogg on 09/01/2022.
10/12/2022	Hearing held on 10/12/2022 at 08:30:00 AM in Department W18 for Pre Trial.
10/12/2022	Judicial Officer: Kevin Haskins, Judge
10/12/2022	Clerk: D. Phillips
10/12/2022	Bailiff: B. Terry
10/12/2022	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
10/12/2022	Pursuant to the California Code of Judicial Ethics, Canon 3, subsection E(2), Court Disclosure regarding the criminal case filed in the People of the State of California v. Isaac Jones, case number 19CF0869 given by Kevin Haskins, Judge in court.

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Case : 20WM07704

Name : Diaz, Cesar Hazel 01/09/2024 13:42:12 PM

Date of Action	Text
10/12/2022	People represented by Lance Cotton, Deputy District Attorney, present.
10/12/2022	Defendant present in Court with counsel Jonathan Adam Rapel, Retained Attorney.
10/12/2022	Plea to the Court.
10/12/2022	Defendant advised of maximum possible sentence.
10/12/2022	Defendant advised of consequences of violating probation and parole.
10/12/2022	Defendant advised of and waives the following:
10/12/2022	- The right to a trial by Court or Jury.
10/12/2022	- The right to confront and cross-examine witnesses.
10/12/2022	- The right to testify in own defense.
10/12/2022	- The right to remain silent.
10/12/2022	- The right to a speedy trial.
10/12/2022	Defendant waives the right to subpoena and present evidence.
10/12/2022	Defendant advised of right to appeal.
10/12/2022	The defendant understands that, if they are not a citizen of the United States, the conviction or sentence for the offense(s) charged will have the consequence of deportation, exclusion from admission to the United States, and denial of naturalization pursuant to the laws of the United States
10/12/2022	Before entering this plea, the defendant had a full opportunity to discuss with the attorney of record the facts of the case, the elements of the charged offenses and prior convictions (if any), any possible defenses, constitutional and statutory rights and waiver of those rights, the consequences of this plea, and anything else the defendant thinks is important to the case.
10/12/2022	Defendant states that it is their initials and signature on the Waiver of Rights form.
10/12/2022	Defendant's motion to withdraw plea of NOT GUILTY and enter plea of Guilty as to count(s) 1, 2 of the First Amended Complaint granted.
10/12/2022	Defendant admits other allegations.
10/12/2022	Counsel joins in waivers, pleas, and admissions.
10/12/2022	Court finds factual basis and accepts plea.
10/12/2022	Court finds defendant intelligently and voluntarily waives legal and constitutional rights to jury trial, confront and examine witnesses, and to remain silent.
10/12/2022	The defendant has been advised of constitutional rights, waivers and consequences in writing pursuant to the guilty plea form. The defendant makes the plea with a full understanding of all the matters set forth in the charging document and in the guilty plea form, that defendant has read, understood and personally initialed each item herein. Defendant understands that the signing and filing of the guilty plea form is conclusive evidence that defendant has pleaded GUILTY to the charges set forth.
10/12/2022	Defendant waives statutory time for Sentencing.
10/12/2022	Defendant's written waiver of legal and constitutional rights for guilty plea received and ordered filed.
10/12/2022	Pursuant to Vehicle Code Section 23593(a), defendant was advised that being under the influence of alcohol or drugs, or both, impairs the ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.
10/12/2022	Court stays sentence pursuant to Penal Code 654 on count(s) 2.

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Case : 20WM07704

Name : Diaz, Cesar Hazel 01/09/2024 13:42:12 PM

Date of Action	Text
10/12/2022	No legal cause why judgment should not be pronounced and defendant having Pled Guilty to count(s) 1, Imposition of sentence is suspended and defendant is placed on 5 Year(s) INFORMAL PROBATION on the following terms and conditions:
10/12/2022	Violate no law.
10/12/2022	Obey all orders, rules, and regulations, and directives of the Court and Jail.
10/12/2022	Do not drive a motor vehicle with a measurable amount of alcohol in your blood and submit to a chemical test of your blood on demand of any peace officer, probation officer, or mandatory supervision officer.
10/12/2022	Do not drive without a valid driver's license in your possession.
10/12/2022	Do not drive without proof of valid auto liability insurance or financial responsibility as required by law.
10/12/2022	Use true name and date of birth only at all times.
10/12/2022	Disclose terms and conditions of probation when asked by any law enforcement or probation officer.
10/12/2022	Pay FINE of $390.00 plus penalty assessments as to count(s) 1.
10/12/2022	Pay mandatory state restitution fine of $150.00 pursuant to Penal Code 1202.4 or Penal Code 1202.4(b).
10/12/2022	Pay $100.00 Alcohol & Drug Assessment Program fee pursuant to Vehicle Code 23649.
10/12/2022	Pay $50.00 Alcohol Abuse Education FEE pursuant to Vehicle Code section 23645.
10/12/2022	Pay $50.00 DUI Lab/Blood Alcohol Penalty pursuant to Penal Code 1463.14(b).
10/12/2022	Pay $40.00 Court Operations Fee per convicted count pursuant to Penal Code 1465.8.
10/12/2022	Pay Criminal Conviction Assessment Fee per convicted count of $30.00 per misdemeanor/felony and $35.00 per infraction pursuant to Government Code 70373(a)(1).
10/12/2022	Defendant ordered to report to the West Collections Department forthwith. Defendant ordered to cooperate with and pay as directed by the Collections Department.
10/12/2022	Pay $150.00 Probation Revocation Restitution Fine pursuant to Penal Code 1202.44. Restitution fine stayed, to become effective only upon revocation of probation.
10/12/2022	Serve 90 Day(s) Orange County Jail as to count(s) 1.
10/12/2022	Credit for time served: 0 actual, 0 conduct, totaling 0 days pursuant to Day-for-day.
10/12/2022	90 days Jail as to count(s) 1 imposed on 10/12/2022 stayed until 02/24/2023 at 07:00 PM Theo Lacy Jail. Defendant to report as ordered.
10/12/2022	Defendant may apply for electrononic confinement.
10/12/2022	Attend and complete 18 months Multiple Offender Alcohol Program as to count(s) 1. Proof of enrollment due by 11/14/2022.
10/12/2022	Defendant ordered to submit proof of 18 months Multiple Offender Alcohol Program to be mailed or submitted to West Justice Center, 8141 13TH Street, Westminster, CA 92683 or placed in the Drop Box at any Superior Court of CA, County of Orange, Justice Center. Proof must be received no later than 11/14/2022.
10/12/2022	18 months Multiple Offender Alcohol Program is concurrent to case 0SC03424.
10/12/2022	Obey all rules of the program(s) and do not leave the program without court approval.
10/12/2022	Defendant accepts terms and conditions of probation.
10/12/2022	Defendant ordered to report to Collections forthwith.
10/12/2022	Notice to Sheriff issued.

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Date of Action	Text
10/12/2022	Declaration Re: Vehicle Code Section 13550 filed.
10/12/2022	Probation Order reprinted.
10/12/2022	Remittance from receipt # 18883757 received in the amount of $ 2027.31.
10/12/2022	Forthwith case assigned to Collections.
10/12/2022	Collections Referral activity deleted from case.
10/12/2022	DD1-CGJOZ sent to DMV. Return Code: 800
10/12/2022	DOJ Initial Abstract sent. - Validated by DOJ: Yes
10/17/2022	Proof of Completion filed as to 18 months Multiple Offender Alcohol Program imposed on 10/12/2022.
10/21/2022	Copy Request received, not filed.
10/21/2022	Certified Copy of Prior Packet mailed to Los Angeles Unified School District.
02/24/2023	At the request of Defendant, case calendared on 02/24/23 at 08:30 AM in W3 for SENT JSTA.
02/24/2023	Hearing held on 02/24/2023 at 08:30:00 AM in Department W3 for Sentencing Jail Stay.
02/24/2023	Judicial Officer: Juliet O. Macaulay, Judge
02/24/2023	Clerk: R. Wilder
02/24/2023	Bailiff: X. Ornelas
02/24/2023	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
02/24/2023	Defendant present in Court with counsel Jonathan Adam Rapel, Retained Attorney.
02/24/2023	Oral motion by Defense for extension on surrender date
02/24/2023	Motion granted.
02/24/2023	Probation on count(s) 1 modified as follows:
02/24/2023	90 days Jail as to count(s) 1 further stayed to 03/31/2023 at 07:00 PM. This modifies the commitment dated 02/24/2023. Defendant to report to Theo Lacy Jail as ordered.
02/24/2023	Credit for time served: 0 actual, 0 conduct, totaling 0 days pursuant to Day-for-day.
02/24/2023	Later in AM:
02/24/2023	Appearance made by Jonathan Adam Rapel, Retained Attorney, by telephone.
02/24/2023	Oral motion by Defense for earlier Jail stay date
02/24/2023	Motion granted.
02/24/2023	90 days Jail as to count(s) 1 further stayed to 03/03/2023 at 07:00 PM. This modifies the commitment dated 03/31/2023. Defendant to report to Theo Lacy Jail as ordered.
02/24/2023	Notice to Sheriff issued.
02/24/2023	All terms and conditions of probation are to remain the same.
02/24/2023	Minutes entered by C. Benjamin on 02/24/2023.
02/24/2023	DOJ Subsequent Abstract - 42. - Validated by DOJ: Yes
03/01/2023	Sentencing re: Modification set on 03/08/2023 at 08:30 AM in Department W3.
03/01/2023	Defendant is requesting to address Electronic Confinement/Jail Stay.
03/03/2023	At the request of Defendant, case calendared on 03/03/23 at 08:30 AM in W3 for SENT JSTA.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

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Date of Action	Text
03/03/2023	Hearing held on 03/03/2023 at 08:30:00 AM in Department W3 for Sentencing Jail Stay.
03/03/2023	Judicial Officer: Patrick Flannery, Commissioner
03/03/2023	Clerk: R. Wilder
03/03/2023	Bailiff: H. Colunga
03/03/2023	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
03/03/2023	Defendant present in Court with counsel Jonathan Adam Rapel, Retained Attorney.
03/03/2023	Oral motion by Defense for SCRAM-X in lieu of Jail
03/03/2023	Motion granted.
03/03/2023	SCRAM-X Acceptance Letter filed.
03/03/2023	Probation on count(s) 1 modified as follows:
03/03/2023	90 days Jail imposed on 10/12/2022 stayed pending completion of ScramX.
03/03/2023	Credit for time served: 0 actual, 0 conduct, totaling 0 days pursuant to Day-for-day.
03/03/2023	Court authorizes SCRAM-X in lieu of 90 days Jail. To be done in Santa Clarita.
03/03/2023	Hearing re: Progress Review set on 04/03/2023 at 08:30 AM in Department W3 for 90 days Jail. Progress Review Of SCRAM-X
03/03/2023	Counsel authorized to appear pursuant to Penal Code 977(a) at next court hearing.
03/03/2023	Sentencing re: Modification vacated for 03/08/2023 at 08:30 AM in W3.
03/03/2023	All terms and conditions of probation are to remain the same.
03/03/2023	Notice to Sheriff issued.
03/03/2023	Minutes entered by C. Benjamin on 03/03/2023.
03/03/2023	DOJ Subsequent Abstract - 42. - Validated by DOJ: Yes
04/03/2023	Hearing held on 04/03/2023 at 08:30:00 AM in Department W3 for Hearing Progress Review.
04/03/2023	Judicial Officer: Patrick Flannery, Commissioner
04/03/2023	Clerk: K. Rodriguez
04/03/2023	Bailiff: A. Flynn
04/03/2023	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
04/03/2023	District Attorney not present in Court.
04/03/2023	Defendant present in Court with counsel Jonathan Adam Rapel, Retained Attorney.
04/03/2023	Proof of progress in SCRAM-X filed.
04/03/2023	Hearing re: Proof of completion set on 04/17/2023 at 08:30 AM in Department W3.
04/03/2023	Defendant ordered to appear.
04/03/2023	All other terms and conditions of probation are to remain the same.
04/17/2023	Hearing held on 04/17/2023 at 08:30:00 AM in Department W3 for Hearing Proof of completion.
04/17/2023	Judicial Officer: Patrick Flannery, Commissioner

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

MINUTES

Case : 20WM07704

Name : Diaz, Cesar Hazel 01/09/2024 13:42:12 PM

Date of Action	Text
04/17/2023	Clerk: M. Jimenez
04/17/2023	Bailiff: J. Walker
04/17/2023	Proceedings recorded electronically. The recording equipment is functioning normally, and all of the proceedings in open court between designated times of day will be recorded, except for such matters as were expressly directed to be "off the record" or as otherwise specified.
04/17/2023	Defendant not present in Court represented by Jonathan Adam Rapel, Retained Attorney.
04/17/2023	Defendant's appearance is waived pursuant to Penal Code 977(a).
04/17/2023	Proof of Notice of Completion of SCRAM X filed.
04/17/2023	90 days Jail sentenced on 10/12/2022 and stayed, permanently stayed.
04/17/2023	All terms and conditions of probation are to remain the same.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE, WEST JUSTICE CENTER

ELECTRONICALLY FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

06/29/2020
02:55 PM
DAVID H. YAMASAKI, Clerk of the Court
20WM07704

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. CESAR HAZEL DIAZ [redacted] [redacted] AKA CESAR H DIAZ CESAR DIAZ Defendant(s)	COMPLAINT No. CDPR 200613SUR-0179 BAC .14 BL

The Orange County District Attorney charges that in Orange County, California, the law was violated as follows:

COUNT 1: On or about June 13, 2020, in violation of Section 23152(a) of the Vehicle Code (DRIVING UNDER THE INFLUENCE OF ALCOHOL), a MISDEMEANOR, CESAR HAZEL DIAZ did unlawfully drive a vehicle while under the influence of an alcoholic beverage.

COUNT 2: On or about June 13, 2020, in violation of Section 23152(b) of the Vehicle Code (DRIVING WITH BLOOD ALCOHOL .08% OR MORE), a MISDEMEANOR, CESAR HAZEL DIAZ did unlawfully drive a vehicle while defendant's blood alcohol concentration was 0.08 percent (%) or more by weight of alcohol in defendant's blood.

COMPLAINT SUPERSEDES CITATION NUMBER(s) 873953.

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MISDEMEANOR CITATION E-FILED (DA CASE# 20W04983) 07-27-2020
OC DNA NOT ON FILE: CESAR DIAZ

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

Dated 06-29-2020 at Orange County, California.
DC/YC 20W04983

TODD SPITZER, DISTRICT ATTORNEY

by: /s/ STEPHANIE FECCIA
STEPHANIE FECCIA, Deputy District Attorney

RESTITUTION CLAIMED

[X] None
[ ] $_____
[ ] To be determined

BAIL RECOMMENDATION:

CESAR HAZEL DIAZ - $ 1.00

NOTICES:

The People request that defendant and counsel disclose, within 15 days, all of the materials and information described in Penal Code section 1054.3, and continue to provide any later-acquired materials and information subject to disclosure, and without further request or order.

Pursuant to Welfare & Institutions Code §827 and California Rule of Court 5.552, notice is hereby given that the People will seek a court order to disseminate the juvenile case file of the defendant/minor, if any exists, to all parties in this action, through their respective attorneys of record, in the prosecution of this case.

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
WEST JUSTICE CENTER
JAN 11 2022
DAVID H. YAMASAKI, Clerk of the Court
BY K. RODRIGUEZ, DEPUTY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE, WEST JUSTICE CENTER

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs. CESAR HAZEL DIAZ [redacted] AKA CESAR H DIAZ CESAR DIAZ Defendant(s)	COMPLAINT AMENDMENT 1 No.20WM07704 CDPR 200613SUR-0179 BAC .14 BL

The Orange County District Attorney charges that in Orange County, California, the law was violated as follows:

COUNT 1: On or about June 13, 2020, in violation of Section 23152(a) of the Vehicle Code (DRIVING UNDER THE INFLUENCE OF ALCOHOL WITH ONE PRIOR), a MISDEMEANOR, CESAR HAZEL DIAZ did unlawfully drive a vehicle while under the influence of an alcoholic beverage, and pursuant to Vehicle Code section 23540, the defendant, CESAR HAZEL DIAZ, within ten (10) years of the commission of the above offense, committed a separate violation of Vehicle Code Section 23103 as specified in section 23103.5, Vehicle Code section 23152, and Vehicle Code section 23153, for which the defendant was convicted.

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MISDEMEANOR CITATION (DA CASE# 20W04983) 01-29-2021
OC DNA NOT ON FILE: CESAR DIAZ

COUNT 2: On or about June 13, 2020, in violation of Section 23152(b) of the Vehicle Code (DRIVING WITH BLOOD ALCOHOL .08% OR MORE WITH ONE PRIOR), a MISDEMEANOR, CESAR HAZEL DIAZ did unlawfully drive a vehicle while defendant's blood alcohol concentration was 0.08 percent (%) or more by weight of alcohol in defendant's blood, and pursuant to Vehicle Code section 23540, the defendant, CESAR HAZEL DIAZ, within ten (10) years of the commission of the above offense, committed a separate violation of Vehicle Code Section 23103 as specified in section 23103.5, Vehicle Code section 23152, and Vehicle Code section 23153, for which the defendant was convicted.

PRIOR CONVICTION(S)

As to Count(s) 1 and 2, it is further alleged, on or about August 27, 2020, CESAR HAZEL DIAZ violated Section 23152(b) of the Vehicle Code, resulting in a conviction on or about July 30, 2021 in the SUPERIOR Court of the State of California, in and for the County of LOS ANGELES, case number: 0SC03424.

COMPLAINT SUPERSEDES CITATION NUMBER(s) 873953.

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

Dated 12-29-2021 at Orange County, California.
DC/YC 20W04983

TODD SPITZER, DISTRICT ATTORNEY

by: _____
Deputy District Attorney

RESTITUTION CLAIMED

[X] None
[ ] $_____
[ ] To be determined

BAIL RECOMMENDATION:

CESAR HAZEL DIAZ - $ 10,000.00

NOTICES:

The People request that defendant and counsel disclose, within 15 days, all of the materials and information described in Penal Code section 1054.3, and continue to provide any later-acquired materials and information subject to disclosure, and without further request or order.

Pursuant to Welfare & Institutions Code §827 and California Rule of Court 5.552, notice is hereby given that the People will seek a court order to disseminate the juvenile case file of the defendant/minor, if any exists, to all parties in this action, through their respective attorneys of record, in the prosecution of this case.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
VEHICLE CODE MISDEMEANOR GUILTY PLEA FORM

For Court Use Only
FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
OCT 12 2022
DAVID H. YAMASAKI, Clerk of the Court
BY: D. PHILLIPS, DEPUTY

CASE NO. 20WM07704 PEOPLE vs. Diaz

1. My true full name is Cesar Hazel Diaz [redacted]

2. I understand that I am pleading ☒ ***GUILTY*** / ☐ ***NOLO CONTENDERE*** and admitting the following offenses, prior convictions and special punishment allegations, with the maximum punishment indicated below:

CT	CHARGE	PRIORS (Date)	ALLEGATIONS	MAX SENTENCE JAIL/FINES
1.	V.C. 23152(a)	7/30/21		365d / $1000
2.	V.C. 23152(b)	7/30/21		654

3. Remaining count(s), prior(s), and other allegation(s) dismissed on People's motion. 3. X

4. I understand I am also charged with a violation of probation in case no. _____. 4. X

RIGHTS AND WAIVERS

5. I understand I have the following constitutional rights, which I am waiving and giving up by entering my plea, and, if applicable, by my admission of a probation violation: 5.

5a. I have the right to be represented by an attorney at all stages of the proceedings until the case is completed. If I cannot afford an attorney, one will be appointed to represent me. (For defendants without an attorney: I am aware that there are dangers and disadvantages of representing myself and there may be a value in obtaining advice from an attorney in this matter but I knowingly and voluntarily waive and give up my right to an attorney and choose to represent myself.) 5a.

5b. I have the right to a speedy and public trial by a jury or a judge, and if charged with a probation violation, the right to a hearing before a judge. I waive and give up this right. 5b.

5c. I have the right to confront the witnesses against me and to cross examine them. I waive and give up this right. 5c.

5d. I have the right to testify on my own behalf but I cannot be compelled to be a witness against myself and may remain silent if I choose. I waive and give up this right. 5d.

5e. I have the right to present evidence and have the Court issue subpoenas to bring into Court all witnesses and evidence favorable to me, at no cost to me. I waive and give up this right. 5e.

5f. Under the Fourth and Fourteenth Amendments to the United States Constitution, I have a right to be free from unreasonable searches and seizures. If I am granted probation, I waive and give up this right. I agree to submit my person and property, including any residence, premises, container, or vehicle under my control which may include electronic devices, to search and seizure at any time of the day or night by any law enforcement or probation officer, with or without a warrant, and with or without reasonable cause or reasonable suspicion. 5f. X

6. I understand I have the right to appeal an adverse ruling on a Penal Code1538.5 suppression motion. I waive and give up this right. 6.

Best Available Image

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
VEHICLE CODE MISDEMEANOR GUILTY PLEA FORM

CASE NO. _____ PEOPLE vs. _____

7. I understand I have the right to have a delay in pronouncement of my sentence of not less than six hours and not more than five days after my plea. I waive and give up this right and agree to be sentenced at this time. 7.

8. ***Arbuckle Waiver***: I understand I have the right to be sentenced by the judge who accepts this plea. I waive and give up this right. 8.

9. ***Harvey Waiver***: I understand I may be required to pay restitution on a count that is being dismissed pursuant to this plea agreement. 9. X

10. I understand I have the right to be present for the entry of the plea of guilty or nolo contendere, and I hereby waive and give up that right. 10.

11. I understand I have the right to reject probation, and I hereby waive and give up that right and accept probation on the terms and conditions ☐ as imposed by the Court, or ☒ as contained in the attached Sentence Recommendation form. 11.

    11a. If the judge does not wish to follow the prosecutor's sentence recommendation, I may withdraw my plea. 11a.

    11b. If I violate any of the terms of probation, I may be returned to Court and sentenced up to the maximum punishment as indicated on page 1. 11b.

    11c. I understand I have the right to a hearing before a judicial officer to determine whether I violated the conditions of my court-ordered supervision and to determine the appropriate sanction for the violations. I hereby waive and give up this right for all violations for which the county probation department orders me to serve a "flash incarceration", which can be a period of one to ten consecutive days in the county jail. However, if I do not agree with the imposition of flash incarceration, I am preserving my right to demand a hearing. I understand the Court may not deny me probation if I elect not to sign this waiver. 11c.

12. ***Watson Advisement***: I understand that if I am charged with violating Vehicle Code section 23103, as specified in Vehicle Code section 23103.5 or Vehicle Code sections 23152 or 23153, the following warning applies: 12.

    You are hereby advised that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving someone is killed, I can be charged with murder.

CONSEQUENCES

13. I understand some of the possible consequences of my plea and admissions are as follows:

    13a. I have read the attached punishment chart and understand the minimum and maximum penalties and consequences listed therein. 13a.

    13b. There will be state penalty assessments added to any fines imposed by the Court. 13b.

    13c. I will be ordered to pay a minimum of $150 and a maximum of $1,000 to the State Restitution Fund unless the Court makes a finding of "compelling and extraordinary reasons" for waiving this fine. 13c.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
VEHICLE CODE MISDEMEANOR GUILTY PLEA FORM

CASE NO. _____ PEOPLE vs. _____

13d. I will be ordered to pay a minimum of $150 and a maximum of $1,000 Probation Revocation Restitution fine pursuant to Penal Code1202.44. The restitution fine will be stayed but will be payable upon revocation of probation. 13d.

13e. I will be ordered to pay restitution on count(s) _____, and dismissed count(s) _____ pursuant to Harvey Waiver, as part of the plea agreement, in the amount of $_____, or in an amount to be determined by the Court or the Probation Department. If I disagree with the amount of restitution determined by the Court or Probation Department, I may request a Court hearing to determine the amount of restitution. 13e. X

13f. ***Immigration consequences:*** I understand if I am not a citizen of the United States, conviction or sentence for the offense(s) charged may have the consequence of deportation, exclusion from admission to the United States, and denial of naturalization pursuant to the laws of the United States. 13f.

13g. ***Firearms Advisement:*** I am now prohibited from owning, purchasing, receiving, possessing, or having under my custody or control any firearms, ammunition, and ammunition feeding devices, including but not limited to magazines. I am ordered to relinquish all firearms and complete a relinquishment form pursuant to Penal Code 29810. 13g. X

13h. If I am charged and convicted of a similar offense in the future, my plea today may be used to increase my punishment for the new offense. 13h.

13i. If I am presently on probation or parole for any previous conviction, my plea today may cause me to be in violation of that probation or parole and result in additional penalties and/or punishment. 13i.

13j. If I am convicted of driving under the influence and I was UNDER 21 at time of arrest, my driver's license will be suspended for one year. If I do not have a license, the Department of Motor Vehicles will delay issuing a license for one year after I become eligible to drive. 13j. X

The Department of Motor Vehicles may take the following action against my driver's license if UNDER 21 years of age, for the following alcohol offenses – 1 year suspension for violation of Penal Code section 191.5, subdivision (a) or (b) of section 192.5; Vehicle Code section 23103 when subject to section 23103.5, or 23140.

13k. If I am convicted of driving under the influence and it involved a <u>REFUSAL/OR BAC (Blood Alcohol Content) OVER .20</u>; I will be required to attend a first offender program of at least nine months duration. 13k. X

13l. **Ignition Interlock:** If I am convicted of a first or subsequent offense for driving under the influence, the Court may order the installation of an Ignition Interlock Device (IID) on all vehicles operated by me for up to a three-year period. If I am convicted of driving on a suspended license under Vehicle Code sections 14601.2, 14601.4 or 14601.5, with a prior conviction for same offenses or for violation of Vehicle Code sections 23103.5, 23152, or 23153, the Department of Motor Vehicles (DMV) will require the installation of an Ignition Interlock Device (IID) as a condition of a restricted license separate from any action by this Court. 13l.

13m. The DMV may restrict or suspend my driver's license separate from any action by this Court. 13m.

13n. If the Court determines that it would be unsafe for me to operate a motor vehicle during a suspension period, the Court may prohibit the issuance of a restricted driver's license. 13n.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
VEHICLE CODE MISDEMEANOR GUILTY PLEA FORM

CASE NO. _____ PEOPLE vs. _____

13o. For a conviction of Vehicle Code sections 23152 or 23153: the DMV will require completion of an alcohol/drug program in order to have my driving privilege reinstated, even if the Court did not order such a program. 13o.

13p. My driving privilege may not be restored until I provide the DMV satisfactory proof of successful completion of a licensed alcohol/drug program of the appropriate length required by law. 13p.

13q. I understand that if I am convicted of certain offenses and ordered to complete a program, I may be subject to supervision under the Interstate Compact if residing outside the state of California. 13q.

13r. I understand that I must reside in the state of California until approval is received from the Probation Department and the Interstate Compact Office. 13r.

14. I understand that if I am the registered owner of the vehicle used in the offense and the offense is:

14a. Vehicle Code sections 23152 or 23153 (first conviction), the Court may order my vehicle impounded up to 30 days at my expense. Upon a second conviction for violation of Vehicle Code sections 23152 or 23153, the Court is **required** (absent unusual circumstances) to order my vehicle impounded for at least one day, but not more than 30 days; the Court may also declare the vehicle a nuisance and order it sold after a hearing. 14a.

14b. Vehicle Code sections 23152 or 23153 (third conviction or more), the Court may order my vehicle impounded up to 90 days at my expense. The court may declare the vehicle to be a nuisance and order it sold after a hearing. 14b.

14c. Driving on a suspended license (Vehicle Code section 14601) or without a license (Vehicle Code section 12500), my vehicle will be subject to impoundment by the police and court for six months and up to one year, and may be subject to forfeiture as a nuisance. 14c.

15. I understand I have the right to enter my plea before, and be sentenced by a judge. I waive and give up this right and agree to enter my plea before, and be sentenced by, a Commissioner or Temporary Judge: 15.

as assigned (enter name of Commissioner or Temporary Judge).

PLEA

16. I offer my plea and admit the listed prior(s) and allegation(s) freely and voluntarily. No one has made any threats, used any force against me or my family or loved ones, and no one has made any promises to me other than as on the Sentence Recommendation form. 16.

17. I make my plea with a full understanding of all the matters set forth in the charging document and in this form. I have read, understood, and personally initialed each item herein, and I understand that the signing and filing of this form is conclusive evidence that I have pleaded ☒ ***GUILTY*** / ☐ ***NOLO CONTENDERE*** to the charges set forth. 17.

18. Discussion with my attorney (*Leave this box blank if you are not represented by an attorney*). Before entering this plea, I have had a full opportunity to discuss with my attorney the facts of the case, the elements of the charged offenses and prior convictions (if any), any defenses that I may have, my constitutional and statutory rights and waiver of those rights, the consequences of this plea, and anything else I think is important to my case. 18.

19. I offer the following as a factual basis for my plea: On or about 6/13/2020 in the County of Orange, State of California, did operate a motor vehicle upon a highway

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
VEHICLE CODE MISDEMEANOR GUILTY PLEA FORM

CASE NO. _____ PEOPLE vs. _____

with a blood alcohol concentration greater than .08 %; to wit .14 %. A I also suffered a prior conviction for V.C. 23152 in Los Angeles County on 7/30/21. Case # 0SC03424

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: 10.12.2022 SIGNED: _____
(Defendant)

DEFENSE ATTORNEY'S STATEMENT: I am the attorney of record for the defendant. I have explained to defendant each of the rights set forth on this form. I have discussed the charges and the facts with the defendant. I have studied the possible defenses to the charges and discussed those possible defenses with the defendant. I have discussed the possible sentence ranges with the defendant. I have advised the defendant of immigration consequences and have complied with the requirements of California Penal Code 1016.3(a). I also have discussed the contents of this form with the defendant. I concur with the defendant's decision to waive the rights set forth on this form and to plead guilty. No promises of a particular sentence or sentence recommendation have been made to the defendant by me, or to my knowledge by the prosecuting attorney or the court, which have not been fully disclosed on this form. I agree that this form may be received by the court as evidence of defendant's advisement and voluntary, intelligent, knowing, and express waiver of the rights set forth on this form.

DATED: _____ SIGNED: _____
(Attorney of Record)

INTERPRETER'S STATEMENT: I, _____, having been duly sworn as a court certified/registered/provisionally qualified interpreter, state that I am fluent in the _____ language. I translated the contents of this form to defendant in that language.

DATED: _____ SIGNED: _____
(Court Interpreter)

FOR THE PEOPLE: I am the prosecuting attorney in this case. I certify that I have complied with the requirements of California Penal Code 1016.3(b).

DATED: _____ SIGNED: _____

Plea to the Court: X

SENTENCE RECOMMENDATION FORM – VEHICLE CODE

CASE NO. _____ PEOPLE vs. _____

SENTENCING CONSEQUENCES FOR SELECTED VEHICLE CODE VIOLATIONS

VEHICLE CODE VIOLATION	MINIMUM SENTENCE	MAXIMUM SENTENCE
23152(a) or (b)* 23152(f) 23152(g)	If probation granted, either option A) or B) may be imposed in addition to penalty C): A) 48 hours in jail, a fine of $390 and attendance at an alcohol/drug program B) a fine of $390 and attendance at an alcohol/drug program C) 6-month suspension of license Without probation: 96 hours in jail, a fine of $390, and 6-month license suspension. *Jail time not to interfere with work schedule. *Commercial driver's license shall be suspended for 12 months if the offense occurred in a vehicle requiring a class A or B driver's license.	6 months jail and $1000 fine
23152(a), (b), (f), or (g) * - within 10 years of one prior conviction for 23152, 23153 or 23103 per VC 23103.5	If probation granted, either option A) or B) may be imposed: A) 10 days in jail, a fine of $390- and 2-year suspension of license B) 96 hours in jail, a fine of $390 and attendance at an 18-month alcohol/drug program and 2-year suspension of driver's license Without probation: 90 days in jail and a fine of $390- and 2-year suspension of license. * Commercial driver's license shall be revoked for life if the offense occurred in a vehicle requiring a class A or B driver's license.	1-year jail and $1,000 fine
23152(a), (b), (f) or (g) - within 10 years of two prior convictions for 23152, 23153 or 23103 per VC 23103.5	If probation granted either option A) or B) may be imposed: A) 120 days in jail, a fine of $390, habitual traffic offender designation for 3 years and an 18-month alcohol/drug program, if not previously completed, 3-year revocation of license and habitual traffic offender designation for 3 years B) 120 days in jail, a fine of $390, habitual traffic offender designation for 3 years and an 18-month alcohol/drug program, if not previously completed and 3-year revocation of license, 30 months in driving under the influence program upon special request and good cause shown. 30 days in jail in lieu of the 120 days Without probation: 120 days in jail, a fine of $390, 3-year revocation of driver's license and habitual traffic offender designation for 3 years.	1-year jail and $1,000 fine; habitual traffic offender designation for 3 years
23152(a), (b), (f) or (g) - within 10 years of three prior convictions for 23152, 23153 or 23103 per VC 23103.5	If probation granted: 180 days in jail, a fine of $390, habitual traffic offender designation for 3 years and may require an 18-month alcohol/drug program, if not previously completed and 4-year revocation of license Without probation: 180 days in jail, a fine of $390 and habitual traffic offender designation for 3 years and 4-year revocation of license.	1-year jail and $1,000 fine; habitual traffic offender designation for 3 years
23153(a), (b), (f) or (g)	If probation granted: 5 days jail, a fine of $390 and attendance at an alcohol/drug program and 1-year suspension of license *If Blood Alcohol Content (BAC) is less than .20% - 3 months with 30 hours of education, counseling and interview program required. *If Blood Alcohol Content (BAC) is more than .20% or if defendant refused to submit to test, 9 months with 60 hours of education, counseling and interview program required. Without probation: 90 days in jail and a fine of $390- and 1-year suspension of license.	1-year jail and $1,000 fine
23153(a), (b), (f) or (g) - within 10 years of one prior conviction for 23152, 23153 or 23103 per VC 23103.5	If probation granted, either option A) or B) may be imposed: A) 120 days in jail and a fine of $390- and 3-year revocation of license B) 30 days in jail, a fine of $390 and18 or 30-month attendance at a driving-under the influence program and 3-year revocation of license Without probation: 120 days in jail, a fine of $390- and 3-year revocation of license.	1-year jail and $5,000 fine Option B) $1000 max fine
23103 pursuant to V.C. 23103.5 * *This conviction will serve as a prior DUI conviction if I commit one or more DUI offenses within 10 years.	If probation granted: 9-month participation in an alcohol and drug treatment program If probation not granted: 5 days in jail and/or a fine of $145	90 days jail and/or $1,000 fine

_____
Defendant's Signature

SENTENCE RECOMMENDATION FORM – VEHICLE CODE

CASE NO. _____ PEOPLE vs. _____

DRIVING WHILE UNDER THE INFLUENCE ENHANCEMENTS	INCREASE IN PUNISHMENT
Willful refusal to submit to or to complete a blood-alcohol chemical test. [V.C. 23577]	First offense of V.C. 23152 - 48 hours in jail added to any other sentence Second offense of V.C. 23152 - 96 hours in jail added to any other sentence Third offense of V.C. 23152 - 10 days in jail added to any other sentence Fourth or subsequent offense - 18 days in jail added to any other sentence First offense of V.C. 23153 - 48 hours in jail added to any other sentence Second offense of V.C. 23153 - 96 hours in jail added to any other sentence
Driving a vehicle 30 or more miles per hour over the speed limit on a freeway in a reckless manner OR driving a vehicle 20 or more miles per hour over the speed limit on any street or highway in a reckless manner. [V.C. 23582]	On 1st offense defendant must attend an education and counseling program. 60 days in jail in addition to any other sentence
One or more passengers in the vehicle was/were a minor under the age of 14 years. [V.C. 23572]	First offense of V. C. 23152 – 48 continuous hours in jail added to any other sentence – no stay of sentence allowed. Second offense of V.C. 23152 – 10 days in jail added to any other sentence – no stay of sentence allowed Third offense of V.C. 23152 – 30 days in jail added to any other sentence – no stay of sentence allowed Fourth or subsequent offense – 90 days in jail added to any other sentence – no stay of sentence allowed
Multiple victims injured or killed [V.C. 23153]	1-year state prison in addition on any felony conviction.
Blood Alcohol Content [V.C 23578]	3 months of 30 hours program activities, educational counseling, interview sessions, in addition to enhanced penalties and conditions of probation that may be taken into consideration.

VEHICLE CODE VIOLATION	FIRST OFFENSE	SECOND OR SUBSEQUENT OFFENSE
14601.3(a)	30 days jail and $1000 fine	If within 7 yrs. of prior conviction of 14601.3(a) 180 days jail and a fine of $2,000

VEHICLE CODE VIOLATION	MINIMUM SENTENCE	MAXIMUM SENTENCE
14601(a)	5 days jail and $300 fine	6 months jail and $1,000 fine
14601(a) - within 5 yrs. of a prior conviction for 14601, 14601.1, 14601.2 or 14601.5	10 days jail and $500 fine 10 days jail required if probation granted	1-year jail and $2,000 fine
14601.1(a)	$300 fine	6 months jail and/or $1,000 fine
14601.1(a) within 5 yrs. of a prior conviction for 14601, 14601.1, 14601.2 or 14601.5	5 days jail and $500 fine	1-year jail and $2,000 fine
14601.2(a) or (b)	10 days jail, $300 fine 10 days jail required if probation granted DMV will require ignition interlock device	6 months jail and $1,000 fine
14601.2(a) or (b) within 5 yrs. of a prior conviction for 14601, 14601.1, 14601.2 or 14601.5	30 days jail, $500 fine and ignition interlock device 30 days jail required if probation granted DMV will require ignition interlock device *If I was designated as a habitual traffic offender within three years of this conviction, I will serve an additional 180 days jail and pay a fine of $2,000.	1-year jail and $2,000 fine
14601.2(a) or (b) within 7 yrs., but over 5 yrs., from a prior conviction for 14601, 14601.1, 14601.2 or 14601.5	10 days jail and $300 fine 10 days jail required if probation granted DMV will require ignition interlock device	6 months jail and $1,000 fine
14601.4(a)	Shall be imprisoned in county jail and shall not be released upon work release, community service, or other release program before the minimum period of time prescribed in 14601.2 is served. If probation is granted, shall serve at least the minimum time of imprisonment specified under 14601.2 as a term of probation. DMV will require ignition interlock device.	
14601.5(a) or (b)	$300 fine or 6 months jail With prior conviction for certain offense(s), DMV will require IID	6 months jail and $1,000 fine
14601.5(a) or (b) within 5 yrs. of a prior conviction for 14601, 14601.1, 14601.2 or 14601.5	10 days jail and $600 fine With prior conviction for certain offense(s), DMV will require IID	1-year jail and $2,000 fine
20002(a)	None required under the statute	6 months jail and/ or $1000 fine
12500(a)	None required under the statute	6 months jail and $1,000 fine

_____
Defendant's Signature

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
MISDEMEANOR SENTENCE RECOMMENDATION

For Court Use Only

(optional)

CASE NUMBER_____ PEOPLE VS _____

☐ Count(s)_____ dismissed on motion of People.
☐ Count(s)_____ sentence suspended.
☒ Count(s) 2 stayed pursuant to Penal Code 654.

TERMS

☒ Imposition ☐ Execution of sentence is suspended. 5 years
☐ Formal ☒ Informal PROBATION as to Count(s) 1.
☒ Violate no laws ☒ Obey all orders and rules of Court, Probation Department & Jail.
☐ Submit your person and property, any residence, premises, container or vehicle under your control ☐ including electronic devices ☐ not including electronic devices, to search and seizure at any time of the day or night by any law enforcement officer, probation officer, with or without a warrant, probable cause, or reasonable suspicion.
☐ Consume no alcoholic beverages and do not be present in any establishment where alcohol is the primary item of sale.
☒ Do not drive with a measurable amount of alcohol in the blood system.
☒ Submit to a chemical test of blood on demand of any peace officer or probation officer.
☐ Use no unauthorized drugs, narcotics or controlled substances and submit to chemical testing on demand of probation officer or police officer.
☐ Cooperate with the Probation Department in any plan for counseling or treatment.
☐ Seek training, schooling, employment and maintain residence as approved by the Probation Department.
☐ Do not associate with anyone disapproved of by your probation officer.
☐ Do not own, purchase, receive, possess or have under your custody or control any type of dangerous or deadly weapon, firearm, ammunition, and ammunition feeding devices, including but not limited to magazines
Relinquishment hearing set on _____.
☐ Court orders weapon destroyed.
☒ Do not drive without a valid driver's license in your possession.
☒ Do not drive without valid insurance.
☒ Use TRUE NAME and Date of Birth at all times.
☐ Carry a valid government-issued identification card at all times.
☐ Provide the Court with your current address, telephone number, employer's name, address, and telephone number. Immediately notify the Court of any changes.
☒ Disclose probation terms upon request of Probation or Law Enforcement Officer.

FINES AND FEES

☒ Pay a fine of $ 390 plus penalty assessment on count 1.
☐ Pay a fine of $_____ plus penalty assessment on count _____.
☒ Credit of $ 125 given towards fine of $ 390 as to count 1 for time already served in custody.
☐ Pay $_____ Court Costs on count(s) _____.
☒ Pay $50 Alcohol Abuse Education Fee. (Vehicle Code 23645)
☒ Pay $50 Alcohol Testing Penalty. (Penal Code 1463.14)
☒ Pay $100 Alcohol Assessment Fee. (Vehicle Code 23649)
☐ Pay $50 Lab Fee for each specified drug offense.
☐ plus penalty assessment. (Penal Code 1463.14/Health and Safety Code 11372.5)
☐ Pay $150 Drug Program Fee for each specified drug offense.
☐ plus penalty assessment. (Health and Safety Code 11372.7)
☐ Pay $_____ Domestic Violence Discretionary Fee for all Orange County Domestic Violence Shelters. (Penal Code 1203.097)
☐ Pay $_____ Domestic Violence Prevention Fund. (Penal Code 1203.097(a)(5))

THE FOLLOWING FEES ARE NOT CONDITIONS OF PROBATION:

☒ Pay $ 150 State Restitution Fine (minimum of $150.00). (Penal Code 1202.4(b)(1))
☒ Pay $ 150 Probation Revocation Restitution Fine (minimum of $150.00). Restitution fine stayed. Effective upon revocation of probation. (Penal Code 1202.44)
☒ Pay the following fees:
- Criminal Conviction Assessment Fee(s) $30/misdemeanor; $35/infraction (per convicted count) (Government Code 70373(a)(1))
- $40 Court Operations Fee (per convicted count) (Penal Code 1465.8)
- Additional fees as required by law

☐ Pay Local Crime Prevention Fund Fee $10 plus penalty assessment (Penal Code 1202.5).
☐ Fines/Fees to be paid forthwith.
☐ Fines/Fees to be paid through Court Collections
☐ forthwith ☐ by _____.
☐ Pay costs of formal probation as directed by Probation Officer.
☐ Fines/Fees to be paid through Probation.
Additional program fees may be applicable and paid through the program.

JAIL

☒ Serve 90 days Orange County Jail on Count 1.
☐ Serve _____ days Orange County Jail on Count _____.
☐ Serve _____ days jail in lieu of fine on Count _____.
☐ Jail to be served through the City of _____.
☒ Credit for 1 actual + 0 = total 1.
☐ Work release denied ☐ Electronic Confinement denied
☐ County Work Program denied
☒ JAIL STAYED to _____ at 7 am/pm. Report to
☒ Theo Lacy ☐ Orange County Jail-Intake Release Center.
☐ May be released to an authorized representative of the _____ _____ program to serve remainder of jail sentence.
☐ Serve _____ weekends at _____ Jail (no good time or work time to be applied to original sentence).
☐ Sentence(s) to run consecutive / concurrent to each other / any other sentence / Case No: _____.
☐ Jail stayed pending successful completion of:
☐ DUI Court (except any statutory minimum term which may be served on SEC during the term of DUI Court as imposed by the Court)
☐ Probation ☐ Community Service ☐ Cal Trans/Physical Labor
☐ _____.
☐ To be served in State Prison concurrently.
☐ Book and Release due to the Clerk's Office by _____.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
MISDEMEANOR SENTENCE RECOMMENDATION

CASE NUMBER_____ PEOPLE VS _____

COMMUNITY SERVICE / OTHER PROGRAMS

☐ Complete _____ ☐ hours ☐ days of
☐ Community Service ☐ Cal Trans ☐ Cal Trans/Physical Labor
☐ In lieu of fines ☐ In lieu of jail
☐ Complete Graffiti Removal as to count(s) _____.
☐ Proof of completion due to the Clerk's Office by _____.

ALCOHOL & DRUG PROGRAMS/DRIVER'S LICENSE

Complete Program:
☐ 3 month ☐ 6 month ☐ 9 month
☒ Multiple Offender – 18 month
☐ 12 hour program
☐ Attend Victim Impact Counseling. Proof of completion due to the Clerk's Office by _____.
☒ May complete program ☒ out of county ☐ out of state.
☐ Attend and complete _____ ☐ Self Help and/or Alcoholics Anonymous meetings ☐ Self Help and/or Narcotics Anonymous meetings ☐ per day ☐ per week ☐ per month.
Proof due by _____.
☐ Attend and complete a _____ day/month probation approved:
☐ residential ☐ outpatient drug/alcohol treatment program;
☐ with a _____ day/month aftercare program.
☐ No day for day credit will be given if the defendant fails to complete program. Full jail sentence to be imposed.
☐ Court designates defendant a Habitual Offender. (VC 13350(b))
☐ Court orders the installation of an ignition interlock Device (IID) on all vehicles operated by defendant for _____ months.
Proof of installation or non-ownership of vehicle due by _____.
☐ Driving privilege suspended for 1 year pursuant to VC 13202.5 (alcohol offense and under the age of 21)
☐ Driving privilege suspended for _____ year(s) pursuant to Vehicle Code 13352(a)(3) (2nd DUI conviction within 10 years)
☐ Driving privilege revoked for _____ year(s) pursuant to Vehicle Code 13352(a)(5).
☐ Complete Youthful Drug & Alcohol Deterrence Program and show proof to the Clerk's Office by _____.
☐ Enroll and complete Penal Code 1210 program. Proof of enrollment due by _____.
Refer to Penal Code 1210 Addendum.
☐ Register with local law enforcement within 5 days from today or within 5 days upon release from custody pursuant to:
☐ Penal Code 186.30 (gang related offense)
☐ Penal Code 457.1 (arson offense) – Lifetime
☐ Penal Code 290 (sex offense) for ☐ a minimum of 10 years
☐ Penal Code 290.024 (sex offense – Internet identifiers)
☐ Submit to AIDS testing. Proof due to Department _____ by _____.
☐ Attend and complete AIDS Prevention Education. Proof of completion due to the Clerk's Office by _____.

DOMESTIC VIOLENCE

☐ Complete Batterer's Treatment Program
(52 weeks of active participation required)
☐ Alcohol/Drug Component
☐ Total abstinence from alcohol and drugs
☐ Test alcohol and drugs (blood or urine only)
☐ Parenting component
☐ One year Child Abuser's Program.
☐ Health Care Agency Perinatal Program.
☐ May complete program ☐ out of county ☐ out of state.
☐ Other program(s) _____
active participation required.
☐ weeks ☐ months ☐ years
☐ Proof of Enrollment due to the Court by _____.
☐ Comply with Court protective order.
☐ Surrender all firearms within 24 hours as required by law and file proof of surrender form within 48 hours with the Court.
☐ Relinquishment hearing set on _____.

RESTITUTION

☐ Make restitution in the amount of $ _____ or as determined through ☐ Victim Witness ☐ Probation, with interest at the rate of 10% ☐ from the date of sentencing ☐ from the date of loss.
☐ Pay cost of counseling to the victim and/or children in the amount of $_____.
☐ Submit a new financial disclosure form if money is still owing on a restitution order or fine 120 days before the scheduled release from probation. File the form with the court at least 90 days before the scheduled release from probation.
☐ Complete and return Statement of Assets form by _____.

ADDITIONAL TERMS & CONDITIONS

☐ Have no contact with _____.
☐ Stay _____ yards away from _____.
☐ Provide a state DNA sample, prints and photographs if not already provided pursuant to DNA Addendum.
☐ Obey all rules of Court ordered program. Do not leave the program without Court approval.
☐ Probation to ☐ terminate ☐ be modified to "Informal" status upon _____.

ADDENDUMS

☐ Penal Code 1210 with Disclosure ☐ DEJ Addendum ☐ DUI Court
☐ Gang Terms ☐ Tagger/Graffiti Terms ☐ Street Terms
☐ _____

REPORT ☐ forthwith ☐ by stay date to: _____
☒ Collections ☐ Clerk's Office ☐ Probation
☐ OneOC ☐ Alcohol Liaison ☐ _____
☐ District Attorney ☐ Victim Witness

OTHER: _____

NOTICE TO DEFENDANT: After successful completion of probation, or if not placed on probation, any time after the lapse of one year from the date of pronouncement of judgment, you may petition the court to dismiss the charges under Penal Code 1203.4. This notice does not apply to any protective orders.

I have read, I understand, and I accept these terms and conditions of probation.

Date: 10/12/22 Defendant's Signature: _____ D.A. / C.A. Signature: _____

Defense Counsel Signature: _____