

PEOPLE OF THE STATE OF CALIFORNIA vs

CASE NO(S): PCRB15433 FF

A JOSE
Defendant present not present

DATE: 6/7/15

PEOPLE: C. DeBois
Deputy D.A.

JUDGE/COMM: W. Greth

DEFENSE: J. Agnich
 Private P.D. A.P.D.

REPORTER: S. PARSONS

INTERPRETER/PO/DAPO:
 Spanish Certified / Registered

CLERK: A. Garcia

Count(s) / Charge(s): 211-PC*, 211-PC*, 11359-45, 11359-45, 11366.5(a) -HS, *** 0692774

DOB: 07/27/1988 Dr. License #: 07314927 Deft Status: 50 Deft I.D. #
Booking #: 15-10911 D.A. #: F152497 Citation #: 0692774 Arrest Agency: FPD
Violation Date: 05/18/2015

THIS CASE IS ASSIGNED TO JUDGE _____ DEPT _____ FOR ALL PURPOSES

ARR/FUR. ARR COUNSEL/PLEA POSS DISM
 ADMIT/DENY REV PROC PROG RPT
 PT JRC RCSP RCTS TRC/TMC JS SUP RPT
Not to waive PX

BENCH WARRANT / BAIL ORDERS

Advised purs. to §987.8 PC §977(b) PC waiver filed / on file
Deft eligible ineligible, for court-appointed counsel.
 \$ _____ P.D. registration fee ordered - pay by: _____
 _____ declares conflict; relieved as counsel.
 Court appoints _____ to represent deft.
 Deft waives counsel Arraigned Advised of rights
 Waives formal arraignment Waives advice of rights
 Deft's true name above stated
 Handed atty deft Amended Complaint Information
 Discov. Police rept Transcript INTP PENDING
 Court grants DA's Motion to Amend to Add Reduce

B / W Ordered-Bail \$ _____ NO CITE RELEASE
 Cash Only No Bail Stayed To issue Remain out
 Vacated Recalled from S.O. No Voluntary Return
 Voluntary Return Okay by _____ OR SOR
 DEJ DIV Probation Parole PRCS Mand Sup
 Revoked Remains Revoked Probable Cause found
Bail Forfeited - Bond # _____
 Cash In lieu of fine
 Court finds valid excuse for defendant's failure to appear.
 Reinstated Exonerated after 15 days if no Comp. filed.
 Reassumption of liability filed. Forfeiture set aside.

Cnt(s) _____ Section(s) _____
 Deft pleads: Deft withdraws previous plea(s) & pleads
 Not Guilty Not Guilty by Reason of Insanity
 Guilty Nolo Contendere In Absentia
to all count(s) count(s) _____

Time Waived for trial. Not Waived for trial.
 Pro Rata waiver entered until _____

Pursuant to Peo vs West §17 PC §1192.5 PC
 Criminal proceedings suspended reinstated per _____
 Deft. ordered to complete D.A. Diversion.
 Deft placed on informal Diversion for 6 months re dismissal.
 Reserve right to file demurrer. Fingerprint Form Filed.
 Subpoenaed records released with §1560/1561 EC stipulation.
 Pretrial Services granted denied.

Jury Trial Set Waived Confirmed Vacated
 _____ at _____ Dept. _____
 TMC Packets due by _____ Panel Size _____
 Witnesses ordered back: _____
 Last date for trial _____ Time Est. _____ days

Admit Deny _____ Prior(s)
 Admit Deny _____ Enhancement(s)/Allegation(s)
Def voir dire by Crt /Counsel Submits/filed waiver of rights.

ABSTRACT to issue SEE PAGE 2 / 3 RE: _____
DA intends to refile.

SEE DEJ/DIVERSION ORDER.

On Motion of Court DA Defense Probation Parole
 CONT. TO _____ AT _____
DEPT _____, FOR: (See below)

Based on Nolo plea Court finds defendant guilty.
 Court accepts plea and finds plea is free & voluntary
 intelligent waiver of rights is given
 factual basis established based on stipulation
 police rept prelim transcript admission

 Case Count(s) _____ **DISMISSED.**
on motion of DA Court w/Harvey waiver
 Referral waived. w/Restitution
Time Waived 10/60 Not Waived Pro Rata
for Trial J&S Last day for PX

Further Arr. HTA Arr. Psych. Report(s)
 S.O./CTS Report M. H. Placement Report
 Counsel/ Plea Supplemental Report
 Stay on Bench Warrant Judgment and Sentence
Setting: _____ Sentencing on PV/ Parole
 Motion(s) _____ Re-Assignment
 Ruling on Motion(s) _____ Drug Court Review
 Change of Plea _____ Placement Rpt / Rvw
 Possible Dismissal _____ Prog Rpt DEJ PR36
 Pretrial Trial Setting _____ Admit/Deny PV/DEJ Viol.
 RC RCSP PRCS
 RCTS TRC TMC Revocation Proceedings
 Court / JURY Trial TRL Call Parole
 Preliminary Hrg. Confirmed Trailing
 \$1551 PC Proceedings VACATE _____

 Further Proc. re: _____
 Formal Revocation Hearing, re: _____
 Deft's appear. waived required

SEE PROBATION/SUPERVISION ORDER.

OTHER COURT DATE: _____ AT _____
DEPT _____, FOR _____

Referred to Probation for pre-plea pre-sentence sup rpt
 SOR CTS placement
 Deft to report to Prob. today by _____
 Probation Officer to interview defendant.
 Counsel request setting \$995 \$1538.5 Discovery
 _____ motion.
 Defense file motion by _____
DA /CITY respond by _____

MINUTE ORDER WAIVER TO PROB. ON _____
405-CR Rev. 6/11/15
Court (orig.) Jury Clerk JA Deft. D.A. Atty. Jail Cal. Bond

File

Prob./PRCS/SOR Parole Intp. Acctg. M.H. ADC Faxed _____

ENDORSED FILED
Superior Court

JUN 24 2015

R. LAL

By _____
DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff

vs.

Case No.

FCR315422
FCR315423
FCR315424

FELONY COMPLAINT

DIOSELINNE A. _____

aka: _____

★ JOSE, _____ A

aka: _____

GEOVANNI _____ M

Defendant

The undersigned is informed and believes that:

COUNT 1

On or about June 18, 2015, defendant JOSE _____ A _____ did commit a felony namely:
2ND DEGREE ROBBERY, a violation of Section 211 of the Penal Code of the State of
California, County of Solano, in that said defendant did unlawfully, and by means of force and
fear take personal property from the person, possession, and immediate presence of C.D.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section
1192.7(c) and a violent felony within the meaning of Penal Code 667.5(c)."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

COUNT 2

On or about June 18, 2015, defendant JOSE A did commit a felony namely: 2ND DEGREE ROBBERY, a violation of Section 211 of the Penal Code of the State of California, County of Solano, in that said defendant did unlawfully, and by means of force and fear take personal property from the person, possession, and immediate presence of A.S.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code 667.5(c)."

It is further alleged as to counts ONE and TWO that in the commission and attempted commission of the above offense a principal in said offense was armed with a firearm, to wit, HANDGUN, said arming not being an element of the above offense, within the meaning of Penal Code section 12022(a)(1).

It is further alleged, pursuant to Penal Code Sections 1170(h)(3), 1170(f) and 1385, that the defendant is not eligible to be sentenced to a term of imprisonment in the county jail on an executed sentence due to a prior or current felony conviction for a serious felony described in subdivision (c) of Penal Code Section 1192.7, or a prior or current conviction for a violent felony described in subdivision (c) of Penal Code Section 667.5, or a prior felony conviction in another jurisdiction for an offense that has all of the elements of a serious felony described in subdivision (c) of Penal Code Section 1192.7, or a violent felony described in subdivision (c) of Penal Code Section 667.5, or because the defendant is required to register as a sex offender pursuant to Penal Code Section 290, or because the defendant is convicted of a crime and as part of the sentence an enhancement pursuant to Penal Code Section 186.11 is imposed.

COUNT 3

On or about June 18, 2015, defendants DIOSELINNE A JOSE A AND GEOVANNI M did commit a felony namely: POSSESSION OF MARIJUANA FOR SALE, a violation of Section 11359 of the Health & Safety Code of the State of California, County of Solano, in that said defendants did unlawfully possess for purpose of sale marijuana.

"Notice: Conviction of this offense will require you to register pursuant to Health and Safety Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section 11594."

1 **COUNT 4**

2 On or about June 18, 2015, defendants DIOSELINNE A _____, JOSE _____ A _____
3 AND GEOVANNI _____ M _____ did commit a felony namely: CULTIVATING
4 MARIJUANA, a violation of Section 11358 of the Health & Safety Code of the State of
California, County of Solano, in that said defendants did unlawfully plant, cultivate, harvest, dry,
and process marijuana.

5 "Notice: Conviction of this offense will require you to register pursuant to Health and Safety
6 Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section
7 11594."

8 **COUNT 5**

9 On or about June 18, 2015, defendants DIOSELINNE A _____, JOSE A _____
10 AND GEOVANNI _____ M _____ did commit a felony namely: ALLOWING PLACE
11 FOR PREPARING OR STORING CONTROLLED SUBSTANCE, a violation of Section
12 11366.5(a) of the Health & Safety Code of the State of California, County of Solano, in that said
defendants did unlawfully rent, lease and make available for use a building, room, space and
enclosure for the purpose of unlawfully manufacture, store, and distribute a controlled substance,
to wit, MARIJUANA.

13 "Notice: Conviction of this offense will require you to register pursuant to Health and Safety
14 Code section 11590. Failure to do so is a crime pursuant to Health and Safety Code section
15 11594."

16 **COUNT 6**

17 On or about June 18, 2015, defendants DIOSELINNE A _____, JOSE _____ A _____
18 AND GEOVANNI _____ M _____ did commit a misdemeanor namely: CRUELTY TO
19 CHILD BY ENDANGERING HEALTH, a violation of Section 273a(b) of the Penal Code of the
20 State of California, County of Solano, in that said defendant was a person having the care and
21 custody of children, who, under circumstances and conditions other than those likely to produce
22 great bodily injury and death, did willfully cause and permit the person and health of said child to
23 be injured, and did willfully cause and permit said child to be placed in such a situation that its
24 person and health may be endangered.
25
26