

October 30, 2019

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

STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

Public Matter

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE
 CONVICTION OF:

**JOHN WILLIAM HASTRUP,
 No. 267164**

A Member of the State Bar

) Case No. **SBC-19-C-30593**
)
) Transmittal of Records of Conviction of Attorney (Bus. & Prof.
) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)
)
) (OCTC Case No. 19-C-22051)
)
) [X] Misdemeanor;
) [X] Hearing required to determine whether crime(s) involves
) moral turpitude or other misconduct warranting discipline;
) [] Evidence that conviction is final.
)

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

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

Name of Member: John William Hastrup

Date member admitted to practice law in California: December 2, 2009

Member's Address of Record: Fresno City Attorney Office

2600 Fresno Street

Fresno, CA 93721-3620

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

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

Date of entry of conviction: August 7, 2017

Convicting court: California Superior Court, Fresno County

Case number(s): M17918675

Crime(s) of which convicted and classification(s): Vehicle Code § 23152(b), driving with a blood alcohol level of .08% or more, a misdemeanor that may or may not involve moral turpitude or other misconduct warranting discipline. (*In re Kelley* (1990) 52 Cal.3d 487.)

☐ 3. Compliance with Rule 9.20. (Applicable only if checked.)

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

☒ 4. Other information to assist the State Bar Court


Redacted documents: The publically filed court records attached hereto have been redacted as follows. The first page of the Misdemeanor Complaint has been redacted to remove respondent's date of birth. The certified copies of that document is being filed and served concurrently herewith pursuant to rule 5.40(D) of the Rules of Procure of the State Bar of California.

DOCUMENTS TRANSMITTED:

Certified Complaint
Certified Misdemeanor Advisement of Rights, Waiver and Plea Form
Certified Minute Order

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: October 30, 2019

BY: 
Kevin B. Taylor
Senior Trial Counsel

The Office of Chief Trial Counsel received the full set of Certified Record of Conviction on this matter on October 25, 2019.

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

John William Hastrup
Fresno City Attorney Office
2600 Fresno Street
Fresno, CA 93721-3620

m

FILED
FRESNO COUNTY
SUPERIOR COURT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CENTRAL DIVISION

2017 JUN -6 PM 4:47

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff

vs.

John William Hastrup

Defendant(s)

COMPLAINT - CRIMINAL

MISDEMEANOR COMPLAINT

COURT CASE NO.

SEARCH WARRANT NO.

DA FILE NO. 2017M12287

CICL
17918675

\$13,000

Agency: Clovis Police Department

Agency Report Number: 17-18435

Defendant

John William Hastrup

Birth Date

JID

Booking No.

Personally appeared before me, who first being duly sworn, complains and alleges:

COUNT 1

On or about March 24, 2017, in the above named judicial district, the crime of MISDEMEANOR DRIVING WITH A 0.08% OR HIGHER BLOOD ALCOHOL LEVEL, in violation of VEHICLE CODE SECTION 23152(b), a misdemeanor, was committed by John William Hastrup, who did unlawfully, while having 0.08 percent and more, by weight, of alcohol in his/her blood, drive a vehicle.

It is further alleged that within ten years of the commission of the above offense, said defendant(s) suffered the following prior conviction within the meaning of Vehicle Code section 23540:

Off Date	Conv Date	VC Section	Docket #	Court
04/10/2010	06/10/2010	VC23152(A)	768297A	Kern Superior Ct.

It is further alleged that the defendant(s) had a blood alcohol content of .15 percent or higher within the meaning of Vehicle Code Section 23578.

COUNT 2

On or about March 24, 2017, in the above named judicial district, the crime of MISDEMEANOR DRIVING UNDER THE INFLUENCE OF ALCOHOL, in violation of VEHICLE CODE SECTION 23152(a), a misdemeanor, was committed by John William Hastrup, who did unlawfully, while under the influence of an alcoholic beverage, drive a vehicle.

It is further alleged that within ten years of the commission of the above offense, said defendant(s) suffered the following prior conviction within the meaning of Vehicle Code section 23540:

Off Date Conv Date VC Section
04/10/2010 06/10/2010 VC23152(A)

Docket #
768297A

Court
Kern Superior Ct.

All of which is contrary to the form, force, and effect of the Statute in such case made and provided, and against the peace and dignity of the people of the State of California.

* * * * *

Pursuant to Penal Code Sections 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

For the purpose of determining probable cause pursuant to Penal Code sections 991 and 991.5, the People hereby incorporate by reference Clovis Police Department report 17-18435.

Subscribed and sworn to before me on

DATE: _____
Attest: _____

DEPUTY CLERK _____

COMPLAINANT



The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: OCT 23 2019

State of California Superior Court Clerk
By _____ County of Fresno
DEPUTY

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO

1100 Van Ness Avenue
Fresno, California 93724-0002

FOR COURT USE ONLY

FILED

AUG - 7 2017

FRESNO COUNTY SUPERIOR COURT

By _____ DEPUTY

PEOPLE OF THE STATE OF CALIFORNIA

vs.

DEFENDANT:

John Hasty

MISDEMEANOR

ADVISEMENT, WAIVER OF RIGHTS, AND PLEA FORM

Vehicle Code section ☒ 23152 ☐ 23153 ☐ 23103/23103.5

CASE NUMBER:

M175 18671

I understand the **nature of the charges** against me and I request to withdraw my plea(s) of not guilty and now plead
☐ GUILTY ☐ NO CONTEST to the following violation(s) of law (list counts, code sections, priors, and any conditions of the plea): **VEHICLE CODE** section ☐ 23152(a) ☒ 23152(b) ☐ 23153(a) ☐ 23153(b) ☐ 23103/23103.5

*GT-1 STIP 19 DSM Rem COUNTS 9 enhanced
ADMIT PRIOR*

[Signature]

RIGHT TO AN ATTORNEY:

I understand I have the right to be represented by an attorney at all stages of the proceedings, and if I am unable to afford an attorney, the court will appoint one for me.

1. I have had enough time to discuss my case and all possible defenses with my attorney
2. I GIVE UP MY RIGHT to have an attorney represent me.

[Signature]

[Signature]

CONSTITUTIONAL RIGHTS:

I understand I am presumed innocent and the State is required to prove me guilty beyond a reasonable doubt. I also understand that I have the following constitutional rights as to all matters charged against me:

1. The right to a speedy, public JURY or COURT TRIAL
2. The right to be CONFRONTED by WITNESSES against me; that is, to see, hear and question all witnesses against me.
3. The right to NOT INCRIMINATE MYSELF; that is, not to be compelled to testify against myself though I may testify if I choose to do so.
4. The right to PRESENT EVIDENCE at no cost to me and to have the court issue subpoenas to bring into court all witnesses and evidence favorable to me.

I understand this right

I give up this right

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST: I understand:

1. If I am presently on parole, postrelease community supervision, mandatory supervised release, or probation, my change of plea could be a reason for finding me in violation of my parole, postrelease community supervision, mandatory supervised release, or probation.
2. If I am not a **citizen**, my change of plea can result in my deportation, exclusion from admission to the United States, and/or a denial of naturalization. **Deportation may be mandatory for this offense. I have fully discussed this matter with my attorney and understand the serious immigration consequences of my plea.**
3. The maximum sentence I can receive as a result of my plea is: 3cc P.7
4. Other possible consequences of this plea will include a restitution fine of \$100 to \$1000, and may include (e.g. registration):
5. The facts on which I base my plea are: Pu west
6. I am entering my plea freely and voluntarily, without fear or threat to me or anyone closely related to me.
7. The matter of probation and sentence is to be determined solely by the Court.
8. I understand that I have the right to wait a minimum of six hours and up to five days, to be sentenced. I give up this right and agree to be sentenced at this time.
9. First Offense only: I understand that if I have a Vehicle Code section 23152 or 23153 conviction that occurred **more than 10 years** before the current offense, or **any** Penal Code section 647(f) conviction, I will be ordered to complete an alcohol/drug assessment. If this assessment recommends additional treatment, the Court may order that I enroll in, participate in and complete an 18 month treatment program.
10. I understand that I may be required to provide buccal swab samples and any blood specimens or other biological samples for law enforcement identification analysis as required by Penal Code §296(a)

COURT ADVISORY- POTENTIAL MURDER LIABILITY

You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your 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.**

I understand the Court's warning that I can be charged with murder if I kill someone while driving under the influence of alcohol or drugs, or both.

WAIVER OF PRESENCE/JUDGE

I hereby waive my right to be present and I authorize my attorney to enter the plea on my behalf. I agree to be sentenced at the time the plea is entered. I authorize my attorney to accept the court's orders and conditions on my behalf, if any, imposed on me.

I understand that I have the right to enter my plea before and be sentenced by a judge. I give up these rights and agree to enter my plea and be sentenced by a temporary judge.

DUI Advisement of Rights, Waiver, and Plea Form

CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST

First or Second Offense Vehicle Code § 23153 within 10 years (Vehicle Code §§13352, 23554, 23560)

I understand that the following is the minimum and maximum sentence I can receive for the offense stated above: 90 days up to one year in jail, \$390 to \$5,000 fine, and a 1 year or 3 year license suspension. If granted probation it could be up to 5 years.

First Offense Vehicle Code § 23152 within 10 years (Vehicle Code §§13352, 23536, 23538)

I understand that the following is the minimum and maximum sentence I can receive for the offense stated above: 96 hours to 6 months in jail, \$390 to \$1,000 fine, and a 6-month driver's license suspension. If granted probation it could be up to 5 years.

Second Offense Vehicle Code § 23152 within 10 years (Vehicle Code §§13352, 23540, 23542)

I understand that the following is the minimum and maximum sentence I can receive for the offense stated above: 90 days to 1 year in jail, \$390 to \$1,000 fine, and a 2-year driver's license suspension. If granted probation it could be up to 5 years.

Third Offense Vehicle Code § 23152 within 10 years (Vehicle Code §§13352, 23546, 23548)

I understand that the following is the minimum and maximum sentence I can receive for the offense stated above: 120 days to 1 year in jail, \$390 to \$1,000 fine, and a 3-year driver's license revocation. If granted probation it could be up to 5 years.

Reckless Driving (Reduced from driving under the influence) (Vehicle Code §23103.5)

I understand that the following is the minimum and maximum sentence I can receive for the offense stated above: 5 days to 90 days in jail, or \$145 to \$1,000 fine, or both. If alcohol or drugs are involved, this conviction will act as a separate DUI conviction if I commit a subsequent DUI offense within 10 years. If granted probation it could be up to 5 years.

DEFENDANT'S DECLARATION UNDER PENALTY OF PERJURY

I declare under PENALTY OF PERJURY, under the laws of the State of California, that I have read, understood, and initialed each item above, and everything on this form is true and correct.

Date: 8/7/17

Signed: [Signature]

(Defendant)

ATTORNEY'S STATEMENT

I am the attorney of record for the defendant and have reviewed this form with my client. I have explained to the defendant each of his/her rights and answered all of the defendant's questions with regard to this plea. I have discussed the facts of the case with the defendant, and explained the consequences of this plea, the elements of the offense(s), and the possible defense(s). I concur with this plea and the defendant's decision to waive his/her constitutional rights.

Date: 8/7/17

Signed: [Signature]

(Attorney for Defendant)

INTERPRETER'S STATEMENT (IF APPLICABLE)

I, _____, have been duly sworn and have truly translated this form to the defendant in the _____ language. The defendant indicated that (s)he understood the contents of the form, and (s)he has initialed the form.

Date: _____

Signed: _____
(Court Interpreter)

COURT'S FINDINGS AND ORDER

The Court, having reviewed this form and having questioned the defendant concerning the defendant's constitutional rights, accepts the defendant's plea(s) and the factual basis for the plea(s), and finds that the defendant has expressly, knowingly, understandingly, and intelligently waived his/her constitutional rights. The Court finds that the defendant's plea(s) is freely and voluntarily made with an understanding of the nature and consequences of the plea(s). The defendant is convicted on the basis of his/her plea(s).

The Court orders this form filed and entered in this case.

Date: 8/7/2017

Signed: _____
(Judge of Superior Court)

MISDEMEANOR



The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: OCT 23 2019

By: _____ Superior Court Clerk
County of Fresno
DEPUTY

SUPERIOR COURT OF CALIFORNIA - COUNTY OF FRESNO CRIMINAL MINUTE ORDER
1100 Van Ness Avenue - Fresno, CA 93724

DEPT: Dept. 2 8:30 AM

Date: 08/07/2017

Judge: Dolas, Mary D

Court Clerk: K. Solis

Cust Status: Own Recognizance

☒ P ☐ NP DEPT: Hastrup, John William
☒ P ☐ NP Defense: Rooker, Jonathan
☒ P ☐ NP District Attorney: A. DeYoung
☐ P ☐ NP P.O./Par/Rep:
☐ Cert ☐ Non-Cert Interpreter:

DOB: 11/10/1983

Reporter/Time: 1040:50

JID #:

Bkng #:

Language:

Case #: M17918675 DA #: 2017M12287

Hearing: Arraignment

Continued To: @ 8:30am Dept 2

Interpreter:

For:

Charges: 001 VC-23152(b) 002 VC-23152(a)

APPEARANCES ☐ Warrant Recalled ☐ DL Hold Lifted

- ☐ Deft appearing after Affidavit
☐ Canon Disclosure ☐ Def's presence waived pursuant to PC 977
☐ Deft ☐ does ☐ does not stipulate hearing before a Commissioner
☐ Attorney Appointed: ☐ PD ☐ Ciummo ☐ ADO ☐ Private ☐ Wheel
Reason _____
☐ Law School student _____ appearing for ☐ Peo ☐ Def
☐ Private Attorney _____ set as Attorney of Record
☐ Attorney _____ ☐ Sub ☐ Relieved ☐ Special App.
ASSIGNMENT/DISQUALIFICATION ☐ CCP 170.1 ☐ CCP 170.3 ☐ CCP 170.6
☐ Peremptory challenge filed by _____ ☐ CRT recuses itself
☐ Case is assigned to ☐ Dept ☐ Judge ☐ Comm
☐ Trial/Preliminary is a Go ☐ No Go Time Est. _____
☐ Trial Case(s) _____

- ARRAIGNMENT/VIOLATION** ☐ PROB ☐ Prop 36 ☐ MSR ☐ PRCS ☐ Parole
☐ Deft ☐ is ☐ is not eligible for ☐ Case no longer ☐ AB 109
☐ True Name ☐ DOB _____
☐ Probation/Parole withdraws Violation of Supervision allegation
☒ Deft rec'd copy _____ ☐ Amended ☐ Comp ☐ Info ☐ Ind. ☐ Prob Rpt
☒ Defendant waives formal reading of rights and advisements
☐ Deft states he/she ☐ CRT deems deft ☐ is a Sole Custodial Parent
☐ CRT provides form GC-250 to deft purs to PC 993.
☐ PLEA: ☐ Not Guilty ☐ NGI ☐ All Counts ☐ Count(s) _____
☐ Deft Appears to be in violation of Supervision ☐ Denies Enh & Priors
☐ Deft ☐ admits ☐ denies violation
☐ Supervision ☐ Revoked ☐ Remains revoked ☐ Formally Revoked
☐ CRT finds ☐ accepts, deft KIV admits: ☐ No VIO ☐ VIO for ☐ Failure OAL

- ☐ Defendant referred to Probation for report ☐ RPO ☐ Supplemental
☐ Oral ☐ DEJ ☐ Pre-Trial ☐ Post Plea ☐ In ☐ Out ☐ No referral ordered
☐ Parties stipulate to discovery pursuant to PC 1054
☐ Military Diversion form filed ☐ Referred to VJO ☐ APP for VTC filed

- MOTIONS/ORDERS** ☐ Motion ☐ Oral ☐ Written by
☒ People ☐ Defense ☐ Court ☐ Defendant ☐ Vic ☐ Probation ☐ Parole
Requesting to strike enh.

- ☒ Motion ☐ Granted ☐ Denied ☐ Off Cal ☐ Taken Under Advisement
☐ Count(s) _____ amended purs to ☐ VC23103(a)/VC23103.5
☐ Amended by interlineation ☐ Complaint ☐ Information ☐ Indictment
Add count(s) _____

- ☐ Count(s) amended by interlineation to _____
☐ People stipulate Family Code 6211 does not apply.
☐ Purs. to Prop 47 ☐ Purs. to Prop 64 ☐ Priors stricken purs. to PC 1385
☐ Court finds good cause to Continue pursuant to PC 1305.1
Reason _____

- HTA**
☐ Preliminary Hearing waived, Defendant ordered Held to Answer
☐ Complaint deemed Information ☐ HTA as to count(s): _____

- CHANGE OF PLEA**
☐ Plea withdrawn ☐ Court rejects plea ☐ all charges reinstated
☐ Crim Proceedings ☐ Suspended ☐ Remain Suspended ☐ Reinstated
☐ Defendant ☐ Referred ☐ Re-Referral ☐ Continues
☐ DEJ ☐ Petty Theft Diversion ☐ Military Diversion ☐ Veteran's Court
☐ Notice of Conditional Settlement ☐ _____ Months
☐ Ct(s) reduced purs to ☐ PC17b(Misd.) ☐ PC17d(Inf.) ☐ Prop 47 ☐ Prop 64
☐ DEFT PLEADS: ☐ Guilty ☐ Nolo ☐ All Counts ☐ Murder Advisement

- ☐ Count(s) 001
☒ Admits ☐ Enh ☐ Strike ☐ Priors in ☐ Ct(s) ☐ Case
☐ # of Priors ☐ # of Strikes ☐ # of Enh ☐ # of Prison Priors

- ☒ BAC 0.14 ☐ Oper stip ☐ No BAC ☐ Refusal ☐ Drugs
☐ Change of plea signed and filed - People vs. West
☒ Defendant advised of rights in open court. ☐ Fingerprint Card filed
☐ Defendant advised of serious felony strike enhancement
☐ Defendant admits PC969 allegation ☐ Arbuckle Waiver

- DEFENDANT CUSTODY STATUS:**
☐ Defendant Remanded ☐ JJC ☐ Without Prejudice ☐ Bail Remains ☐ NO BAIL ☐ Set ☐ Increased ☐ Reduced to
☐ Deft Rem ☐ Status Revoked: ☐ IC ☐ JJC ☐ OR ☐ OP ☐ JR ☐ CITE ☐ CW ☐ NS ☐ SB ☐ MSR ☐ PRCS ☐ PTR ☐ PPR ☐ Prev Custody Status (Prop 47) ☐ CDCR
☒ Deft, Released: ☐ W/CFTS ☐ OAC ☐ OR ☐ OP ☐ STATE PAROLE ☐ PURS TO PC1170(a) (3) ☐ CRUZ WAIVER ☐ PRCS ☐ MSR ☐ PTR ☐ PPR ☐ NS

- DEFENDANT TRANSPORTATION:**
☐ FSO ordered to transport deft to: ☐ CDCR ☐ Wasco ☐ Chowchilla ☐ Other: _____ ☐ FCJ ☐ STATE DEPARTMENT OF STATE HOSPITALS
☐ Court Orders 72 Hour Treatment Evaluation - Referred pursuant to PC 4011.6. Report due by _____ ☐ DSH - JBCT
☐ Upon available bed space, defendant may be released to representative of _____
☐ Deft, Remanded NO BAIL (JJC) ☐ Upon the Defendant's 18th birthday, JJC is ordered to transport the defendant to CDCR
☐ Upon acceptance, JJC is ordered to transport defendant to DJJ.
☐ Deft to be transported for Salvation Army interview on _____ ☐ OTHER JAIL ORDERS: incarcerated deft, exercising the right to self-representation, has access to use of the law library, telephone, runners, investigators, etc.

- WARRANT ORDERS:**
☐ BENCH WARRANT TO ISSUE BAIL \$ _____ ☐ District Attorney ☐ Arresting agency to submit declaration in support of arrest warrant
☐ Warrant held to: _____ ☐ Warrant previously held, ordered issued/vacated ☐ Affidavit in support of arrest warrant ☐ remains ☐ Signed in Open Court
☐ Body Attachment for _____ ☐ Issued in the amount of \$ _____ ☐ Remains ☐ Recalled
☐ Warrant to Remain ☐ Deft released past time to file. ☐ DA ordered to file an affidavit in support of Arrest Warrant
BOND ORDERS: ☐ SB ☐ CB ☐ PB ☐ Reinstatement Letter Filed ☐ Forfeited ☐ Forfeiture Remains ☐ Reinstated ☐ Exonerated ☐ Reinstated & Exonerated
☐ Court finds good cause to continue pursuant to PC 1305.1. Reason: _____
☐ Deft ☐ Jail ☒ Probation ☐ Def ☐ DA ☐ Cr Rpt ☐ Parole ☐ CDC ☐ DBH ☐ JPS ☐ JMS ☐ DR ☐ PTR

TIME WAIVER

Time Out Date: _____ ☐ PH ☐ Trial

- ☐ GTW ☐ Remains ☐ Withdrawn / ☐ PH ☐ Trial set within statutory time
☐ 10 Day Rule ☐ Remains ☐ Waived / ☐ 60 Day ☐ Remains ☐ Waived
☐ Statutory time waived for: ☐ ARRN ☐ PRELIM ☐ TRIAL ☐ Violation Arrn
☐ Time waived to _____ + _____ CRT/CAL days ☐ Time waived for sent

DISMISSAL

- ☐ Petty Theft Diversion Completed ☐ Military Diversion Completed
☐ Case Dismissed ☐ Case Discharged
☐ Purs to ☐ PC1203.4 ☐ PC1203.4a ☐ PC1203.41 ☐ PC1210(e)(1) ☐ Prop 64
☒ Dismiss Rem. Counts & alleg. ☐ count(s) 002
☐ Reason _____ ☐ In Light of Plea ☐ Motion of People
☐ Right to comment & request restitution is reserved
☐ Counts Discharged

PROPOSITION 47/64 RELIEF

- ☐ The Court finds that defendant, who is currently ☐ on felony probation
☐ on MSR ☐ in local prison is currently "serving a sentence" within the
meaning of PC1170.18(a) & may petition for recall of his/her sentence.
☐ Deft waives resentencing by orig. sentencing Judge
☐ Petition/Application/Motion for Relief Filed
☐ Petition deemed Application ☐ Application deemed Petition
☐ Petition/Application/Motion ☐ Granted ☐ Withdrawn ☐ Denied
Reason _____
☐ Transport Order to be prepared by ☐ People ☐ Defense ☐ Clerk
☐ The previously imposed sentence is ordered recalled ☐ defendant is
resentenced to a ☐ misdemeanor ☐ infraction pursuant to:
☐ PC1170.18 (b) (Prop 47) ☐ HS11361.8 (b) (Prop 64):
☐ The Court now designates the following charge(s) as a ☐ misdemeanor
☐ infraction purs to ☐ PC1170.18 (g) (Prop 47) ☐ HS11361.8(f) (Prop 64):
Ct _____ Current Charge _____ New Chg _____
Ct _____ Current Charge _____ New Chg _____

- ☐ As to Count(s) _____ sentence imposed on _____ is recalled
due to restructure in Case/Count _____
☐ Relief pursuant to ☐ Prop 47 ☐ Prop 64 granted in Case/Count(s) _____
☐ Court orders the previous sentence vacated
☐ All other prev. imposed sentencing orders remain in full force & effect
☐ Deft not required to register purs. HS11590. Deft to be removed from
the narcotic registry. ☐ DNA expunged purs. to PC299(d)
☐ Amended Abstract of Judgment to be sent to: ☐ CDCR ☐ FCJ
☐ Charge Dism _____ (Prop 64) ☐ Case Sealed purs HS11361.8(f) (Prop 64)

MENTAL HEALTH / DIAGNOSTIC / APPOINTMENT OF DOCTOR(S)

- ☐ A doubt has arisen as to the mental competence of the defendant.
Proceedings pursuant to Penal Code 1368 are instituted. Criminal
proceedings are ordered suspended.
☐ CRT appoints Dr. _____ to examine deft purs to:
☐ PC1367.1 ☐ PC1368 ☐ PC288.1 ☐ PC457 ☐ EC460 ☐ EC1017
☐ Defendant ordered to appear & be examined at:
☐ Main Jail clinic, 2nd floor ☐ Doctor's office
☐ Doctor's appointment on _____ at _____ AM ☐ PM
☐ Confidential Report ordered. ☐ Report due by _____
☐ Court advised that services may be needed by JPS/JMS. Reason: _____

- ☐ Doctor may review Defendant's jail medical records
☐ Diagnostic Eval/Crim Proc Suspendeda purs ☐ PC1203.03 ☐ WIC707.2

REVIEW/OTHER COURT ORDERS

- ☐ CPO ordered ☐ Served in open court ☐ Modified ☐ Term ☐ Remains
☐ Comply w/ all other CO and Family Law/Civil Protective Orders
☐ Deft ☐ provides
☐ Deft ☐ to provide proof of
☐ Deft ☐ in compliance ☐ not in compliance ☐ in substantial compliance
Reason _____ Phase _____
☐ Court orders ☐ No further reviews ☐ No action taken
☐ Witness _____ ordered to return on _____
at _____ in Dept _____ for _____
☐ Defendant provided a copy of Firearms Advisement purs to PC 29810
☐ All parties stipulate for copying of subpoena records, Parties receiving
records: ☐ People ☐ Defense ☐ Other _____
☐ Defendant ordered to be present at next hearing
☐ Appearance pursuant to PC977 is authorized at the next hearing

- ☐ Defendant Remanded ☐ JJC ☐ Without Prejudice ☐ Bail Remains ☐ NO BAIL ☐ Set ☐ Increased ☐ Reduced to
☐ Deft Rem ☐ Status Revoked: ☐ IC ☐ JJC ☐ OR ☐ OP ☐ JR ☐ CITE ☐ CW ☐ NS ☐ SB ☐ MSR ☐ PRCS ☐ PTR ☐ PPR ☐ Prev Custody Status (Prop 47) ☐ CDCR
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- DEFENDANT TRANSPORTATION:**
☐ FSO ordered to transport deft to: ☐ CDCR ☐ Wasco ☐ Chowchilla ☐ Other: _____ ☐ FCJ ☐ STATE DEPARTMENT OF STATE HOSPITALS
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☐ Upon available bed space, defendant may be released to representative of _____
☐ Deft, Remanded NO BAIL (JJC) ☐ Upon the Defendant's 18th birthday, JJC is ordered to transport the defendant to CDCR
☐ Upon acceptance, JJC is ordered to transport defendant to DJJ.
☐ Deft to be transported for Salvation Army interview on _____ ☐ OTHER JAIL ORDERS: incarcerated deft, exercising the right to self-representation, has access to use of the law library, telephone, runners, investigators, etc.

- WARRANT ORDERS:**
☐ BENCH WARRANT TO ISSUE BAIL \$ _____ ☐ District Attorney ☐ Arresting agency to submit declaration in support of arrest warrant
☐ Warrant held to: _____ ☐ Warrant previously held, ordered issued/vacated ☐ Affidavit in support of arrest warrant ☐ remains ☐ Signed in Open Court
☐ Body Attachment for _____ ☐ Issued in the amount of \$ _____ ☐ Remains ☐ Recalled
☐ Warrant to Remain ☐ Deft released past time to file. ☐ DA ordered to file an affidavit in support of Arrest Warrant
BOND ORDERS: ☐ SB ☐ CB ☐ PB ☐ Reinstatement Letter Filed ☐ Forfeited ☐ Forfeiture Remains ☐ Reinstated ☐ Exonerated ☐ Reinstated & Exonerated
☐ Court finds good cause to continue pursuant to PC 1305.1. Reason: _____
☐ Deft ☐ Jail ☒ Probation ☐ Def ☐ DA ☐ Cr Rpt ☐ Parole ☐ CDC ☐ DBH ☐ JPS ☐ JMS ☐ DR ☐ PTR

COURT CASE NUMBER:

RPO & JUDGMENT

- ☐ RPO/Supplemental is read & considered ☐ w/ letters & attachments
☒ Defendant WFA/NLC/Def waives time for sent
☒ Waives RPO/Rule 4.412 PC1203(c) Rpt. to be prepared by Probation
☒ Defendant sentenced forthwith ☐ Probation Denied
PRISON COMMITMENT ☐ Initial Sentence ☐ After Revocation
☐ Susp term lifted ☐ Stayed term lifted ☐ Sent recalled purs to PC1170(d)
☐ Prison imposed ☐ CDCR ☐ LPO ☐ LPO/MSR ☐ Straight MSR

CL ☐ DM ☐ DU ☐ Yrs ☐ Mos Concur/Consec Case/CT

- CL ☐ DM ☐ DU ☐ Yrs ☐ Mos Concur/Consec Case/CT
☐ Additional Counts listed on Minute Order Attachment
☐ Double Term ☐ Triple Term pursuant to 667(b)-(f)/PC1170.12
☐ Prison Priors ☐ PC667.5(b)-1yr ea x ☐ PC667(a)-5Yrs ea x
☐ HS11370.2 3Yrs ea x ☐ for ☐ Yrs ☐ Stayed ☐ Stricken
☐ Prison Prior(s) ☐ for ☐ Yrs ☐ Stayed ☐ Stricken
☐ Enhancement(s) ☐ for ☐ Yrs
☐ ordered to run ☐ Concurrent ☐ Consecutive to count(s)
☐ Enhancement(s) ☐ as to ct ☐ for ☐ Yrs
☐ is ordered ☐ Stayed ☐ Stricken
☐ Prison sentence is ordered stayed purs to PC654: Count(s)
☐ Sentence to run: ☐ Concur ☐ Consecutive to: ☐ Parole Violation
☐ Any other case(s)

- ☐ Prison sentence stayed to
☐ Execution of Judgment ☐ stayed ☐ suspended ☐ Years
☐ CFTS: ☐ Actual: ☐ GTWT: ☐ Trmt: ☐ MRD
☐ Credits pursuant to ☐ PC4019 ☐ PC2933.1 ☐ PC2933.2
☐ Total Determinate Term ☐ Total Indeterminate Term: Yrs ☐ Mos
☐ Total Term: ☐ LPO ☐ MSR
☐ Total time credits exceed the prison term imposed
☐ Straight LPO imposed for reasons as stated on the record.
☐ Commitment ordered purs to PC1170(a)(3) Report to Parole by
☐ Committed to DJJ pursuant to WIC1731.5(a) ☐ Yrs ☐ Mos
☐ DJJ housing purs to WIC1731.5(c) CDCR ☐ Yrs ☐ Mos
☐ Defendant committed to CDCR DJJ housing total term ☐ Yrs ☐ Mos
☐ Court authorizes DJJ to continue psychotropic medication
☐ Court does not find justification to order psychotropic medication
☐ Court finds defendant ☐ does ☐ does not possess special ed. needs
☐ While serving sentence at CDC, Court recommends:
☐ Housing ☐ Drug Treatment purs to: ☐ PC1203.096 ☐ PC2684
☐ Defendant Advised of: ☐ Parole rights ☐ Appeal rights
☐ The Fresno County Sheriff is ordered not to release the deft pursuant to the Federal Consent Decree. Probation ordered to notify the court if the defendant is released early due to overcrowding.

SUPERVISION JUDGMENT

- ☒ Prob ☐ Prop 36 ☐ MSR ☐ PRCS ☐ Parole
☐ Deft ☐ refuses ☐ waives Prop 36 Treatment ☐ meets the criteria for PROP 36 purs to PC1210.1. Deft sent to the PROP 36 program.
☒ Probation Granted ☐ Imposition of judgment/sent suspended
☐ ☐ Yrs ☐ Mos ☐ Formal Prob ☐ Cond Prob ☐ HS11361.8(c)
☐ Parole not imposed pursuant to PC1170.18(d)
☐ Parole imposed: 1 year pursuant to PC1170.18(d)
☐ Term Reinstatement ☐ Same T&C ☐ Modified ☐ Denied ☐ Terminated
☐ Term modified to: ☐ Yrs ☐ Mos ☐ Probation modified to: ☐ Formal ☐ Cond
☐ Term extended additional ☐ Yrs ☐ Mos
☐ Concurrent ☐ Consec Sentence To ☐ Parole Vio ☐ Any other sentence
☐ Case(s)
☐ Defendant waives ☐ days credit for ☐ Local ☐ All purposes
☐ Previously suspended concluding portion now imposed
☐ Presentence CFTS: ☐ Actual: ☐ GTWT: ☐ Trmt:
☐ MSR day for day credit ☐ days ☐ Post sentence credit ☐ days
☐ Time tolled ☐ Exp ☐ To be calculated by CDC
☐ Report to Probation: ☐ AB109 - 2212 N. Winery St ☐ 748 S. Tenth St
☐ 808 S. Tenth ☐ 890 S. Tenth St ☐ 2220 Tulare St. by
☐ Report to Parole Office. 5060 Clinton Way by

JAIL/AOWP

- ☒ Committed ☐ days. All ☐ Suspended ☐ Stayed ☐ except ☐ days
☐ CFTS: ☐ Actual: ☐ GTWT: ☐ Trmt: ☐ TRD/MRD
☐ Defendant ☐ Referred ☐ Re-Referred to ☐ AOWP ☐ WFO ☐ EM
☐ Report to Action Center ☐ Probation ☐ Fresno County Jail
☐ Booked and Released ☐ Report by ☐ 8-1-17
☒ Sentence stayed to ☐ 10-1-17 ☐ by ☐ at FCJ
☐ On the condition that defendant comply with probation.
☐ AOWP Ordered ☐ Deleted ☐ Converted to Community Service
☐ Community Svc hrs ☐ by ☐
☐ Through ☐ Hands On ☐ Non-Profit ☐ Probation

COMPETENCY/SANITY FINDING

- ☐ Rpt & Recommendation from ☐ is read & considered
☐ Court finds defendant ☐ is ☐ is not ☐ Competent ☐ Sane ☐ NGI
☐ Criminal proceedings: ☐ Remain Suspended ☐ Reinstated
☐ Deft. Ref'd to ☐ Forensic Mental Health (CONREP) ☐ CVRC ☐ DBH
☐ pursuant to: ☐ PC1001.22 ☐ PC1026 ☐ PC1202 ☐ PC1370
☐ Confidential Report due by
☐ The Court Orders the Clerk's Office to notify the Elections Office of:
☐ disqualification ☐ restoration of voting rights pursuant EC2211.

SEE MENTAL HEALTH MINUTE ORDER ATTACHMENT

MENTAL HEALTH EXTENSIONS/REVOICATIONS

- ☐ Rpt. & Recommendation from ☐ is read & considered
☐ Outpatient status ☐ Granted ☐ Revoked ☐ Terminated
☐ Defendant referred to Public Guardian for LPS Conservatorship
☐ Extension granted purs to: ☐ PC1604 Outpatient ☐ PC2970 ☐ PC1026
☐ for ☐ Year(s) until (Date) ☐ 8-1-17 ☐ 30 days

OTHER COURT ORDERS:

FINES/FEES Payable thru Courts ☐ Probation ☐ CDCR

- ☐ Total Amount due: \$ ☐ 445- ☐ ct(s) ☐ 001 ☐ ALL as described below:
☐ Fine: \$ ☐ 152- ☐ ct: ☐ Fine: \$ ☐ ct: ☐ Fine: \$ ☐ ct:
☐ Fee: \$ ☐ 50- ☐ PC1202.4 ☐ PC1202.44 ☐ PC1202.45
☐ Fee: \$ ☐ 150- ☐ Advisory given pursuant to ☐ PC1202.44 ☐ PC1202.45
☐ Pay PC294 Fee: \$ ☐ Pay Fee \$50 Alcohol Abuse Education
☐ Pay \$ ☐ Vic. Fund PC1202.4(f)(2) VCGCB
☐ Pay Fee Domestic Violence Diversion \$ ☐ PC1203.097(a)(5)

The following fees are not a condition of Probation:

- ☐ Payd Crl Security Fee \$ ☐ 40- ☐ Conviction Fee \$ ☐ 30- ☐ to Crl
☐ Pay EMAT Fee \$ ☐ 1- ☐ to Crl ☐ Pay \$ ☐ Fee ☐ HS11372.5 ☐ PC290.3
☐ Pay Probation Report/Supp. Report Fee to Probation - PC1203.1b
☐ Pay Fee \$100 Alcohol Assessment
☐ Pay \$ ☐ PC1203.4 Fee to Court ☐ Pay \$ ☐ PC1203.4 Fee to Prob
☐ Pay Fee Domestic Violence Diversion \$ ☐ PC1463.27
☐ Total amount of fines & fees due forthwith.
☐ Pmt. \$ ☐ 55- ☐ Per Month Begins: ☐ 1-15-17 ☐ plus \$50 Pmt Plan Fee to Crl
☐ Total amount due on ☐ plus \$30 Time to Pay Fee to Crl
☐ Probation to determine due date/payment schedule
☐ Sentence suspended as to count(s)
☐ Fine & Fees consolidated w/case(s)

FINE/FEE REDUCTIONS

- ☐ If deft ☐ Attends & completes Decisions for Life on ☐ Obtains
☐ CDL ☐ Insurance, fine & fees reduced to \$ ☐ Due ☐
☐ VC14601 reduced to Inf. & prob terminated if valid license by
☐ Fines & fees ☐ Reduced ☐ Waived ☐ Susp ☐ Stayed ☐ In lieu of jail
☐ Not ordered ☐ Inability Pay ☐ Compelling and Extraordinary reasons
☐ Fines & fees deemed paid in full in lieu of jail
☐ Fines & fees \$ ☐ suspended as to count(s)
☐ Pay Attorney fee to RCU \$ ☐ Due:
☐ Court finds the defendant does not have the ability to pay atty fees
☐ Restitution pursuant to PC1202.4(f) ☐ Reserved ☐ Ordered \$ ☐

SENTENCING TERMS & CONDITIONS

- ☐ Probation ☐ Sentence ☐ CS ☐ Prop 36 ☐ PT ☐ MSR ☐ PRCS ☐ PAROLE
☐ ☐ AA ☐ NA meetings per week ☐ Show proof next hearing
☐ Community Svc hours ☐ by ☐
☐ Through ☐ Hands On ☐ Non-Profit ☐ Probation
☐ Decertification of: ☐ Food stamps ☐ TANF ordered for
☐ 6 months ☐ 1 year ☐ by Operation of Law
☐ Deft advised of: ☐ Deportation ☐ Prop 36 T&C ☐ Pre-Trial T&C,
☐ consequences and penalties for his/her release purs PC1318
☐ Drug Testing Ordered ☐ Alcohol ☐ Narcotics ☐ *last request of*
☐ GPS monitoring to be conducted/determined by Probation *law*
☐ Maintain contact with Probation ☐ Maintain good behavior *law*
☐ Medical ☐ Testing ☐ Education ordered pursuant to:
☐ PC1202.1 ☐ PC1202.6 ☐ PC1001.10
☐ Deft to enroll w/in 14 days thru Dept. of Community Health
☐ No contact with Minors ☐ No contact & stay away from
☐ Notify probation of Address change within ☐ days
☐ Obey all laws ☐ Obey probation officer's directives
☐ Pay restitution ☐ Restitution reserved through ☐ DA ☐ Probation
☐ Provide DNA samples pursuant to ☐ PC296 ☐ PC1202.1
☐ Register pursuant to ☐ HS11590 ☐ PC457.1 ☐ PC186.30
☐ PC290 ☐ Mandatory ☐ Discretionary ☐ Cond of Prob ☐ Internet ID
☐ Seek & maintain gainful employment ☐ SOAP Conditions Attached
☐ Signed waivers of confidentiality ☐ Submit to search & seizure
☐ Visiting prohibited pursuant to PC1202.05 ☐ Peaceful Contact
☐ Weapons ordered ☐ Destroyed ☐ Disposed ☐ Returned to owner

- ☒ DO NOT: ☐ Associate: ☐ w/ Co-Deft ☐ w/ known drug users ☐ w/sex
☐ offenders ☐ w/ gang members pursuant to ☐ PC186.22(e) ☐ PC186.22 (f)
☐ Contact: ☐ Vic ☐ Vic's family ☐ Minors ☐ Gang Members ☐ Sex Offenders
☐ Drive: ☐ with any alcohol ☐ without insurance ☐ without a license
☐ Frequent ☐ areas of prostitution ☐ bar/liquor store ☐ places where
☐ children congregate, such as carnivals, parks, playgrounds, schools,
☐ video arcades, or theme parks, without the prior approval of the Court or
☐ the Probation Officer, and do not obtain employment which would allow
☐ unsupervised contact with any minor child.
☐ Possess: ☐ Alcohol ☐ Drugs ☐ burglary tools ☐ checking account
☐ controlled substances without a lawful prescription or
☐ recommendation (this includes marijuana). ☐ deadly weapons/firearms
☐ & ammunition ☐ graffiti tools ☐ lighters, matches, torches, flares,
☐ incendiary devices, or any flammable gases or liquids. ☐ personal
☐ identification, credit cards or credit information, or financial information
☐ belonging to another person. Do not seek or maintain employment
☐ where you will have access to personal identification and financial
☐ information of another person, without permission of the
☐ Court/Probation. ☐ sexually explicit materials ☐ unlawful property
☐ Use: ☐ Alcohol ☐ Drugs ☐ Force-Violence
☐ initiate, establish, or maintain contact, in any manner, direct or indirect,
☐ by telephone, letter, electronic mail, chat room, or through another
☐ person, with any minor child or reside with any minor child, w/out a prior
☐ Court order. ☐ Reside within ☐ of any school ☐ Leave CA

SENTENCING - PROGRAMS

- ☒ Defendant ordered to enroll and complete the following:
☐ Mental Health ☐ Alcohol ☐ Narcotics ☐ Ed ☐ Batterer's Treatment
☐ Program Type ☐ In Patient ☐ Out Patient
☐ Deft to provide proof of enrollment & progress at next hearing
☐ Report to probation immediately if you leave a program

DUI PROGRAMS

- ☐ Wet Reckless Class ☐ Prior 9 month Alcohol & Drug Program
☐ DUI ☐ Level One ☐ Level Two ☐ \$838 ☐ 30 Month

SENTENCING - LICENSE TERMS

- ☐ Court designates the defendant as a habitual traffic offender
☐ DMV to ☐ Revoke(Term) ☐ Susp (withdraw) License ☐ ☐ Mos ☐ Yrs
☐ Restrict License ☐ work ☐ program ☐ during work ☐ ☐ Mos ☐ Yrs
☐ Install or obtain exemption from DMV for IID ☐ ☐ Mos ☐ Yrs
☐ License Revoked/Suspended pursuant to DMV requirements
☐ DMV NOT to restrict license (compelling circumstances)

I hereby certify the foregoing is correct copy of the original minute order on file in this office.

DEPUTY'S SIGNATURE

DATE

4.4.2017



The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: OCT 23 2019

State of California Superior Court Clerk
By  County of Fresno
DEPUTY

DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 19-C-22051

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

TRANSMITTAL OF RECORDS OF CONVICTION OF ATTORNEY, including:

**Certified Complaint
Certified Misdemeanor Advisement of Rights, Waiver and Plea Form
Certified Minute Order**

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2152 1805 12, at San Francisco, on the date shown below, addressed to:

**John William Hastrup
Fresno City Attorney Ofc
2600 Fresno St
Fresno, CA 93721-3620**

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

N/A

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

DATED: October 30, 2019

Signed: _____



Ina M. Strehle
Declarant