

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Criminal Law Advisory Committee
Hon. Steven Z. Perren, Chair
Joshua Weinstein, Committee Counsel, 415-865-7688,
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DATE: August 31, 2006

SUBJECT: Criminal Law: Abstracts of Judgment for Prison Commitments (revise forms CR-290, CR-290(A), CR-290.1, and CR-292, and repeal MC-295)(Action Required)

Issue Statement

The abstracts of judgment in criminal cases—Judicial Council forms CR-290, CR-290A, CR-290.1, CR-292, and MC-295—are outdated and do not reflect newly applicable statutes.

Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2007, revise *Abstract of Judgment—Prison Commitment—Determinate* (form CR-290), *Abstract of Judgment—Prison Commitment [Attachment Page]* (form CR-290(A)), *Abstract of Judgment—Prison Commitment—Determinate Single, Concurrent, or Full-Term Consecutive Count Form* (form CR-290.1), and *Abstract of Judgment—Prison Commitment—Indeterminate* (form CR-292), and repeal *Judgment—Commitment* (form MC-295) to bring them up to date, improve usability, and repeal unnecessary forms.

The forms are attached at pages 4–11.

Rationale for Recommendation

The Judicial Council last revised the abstracts of judgment in criminal cases in 2002, effective January 1, 2003. The legislative changes that have occurred since then necessitate another updating of forms CR-290, CR-290.1, CR-290(A), and CR-292.

The proposed modifications are technical—to make the form easier to complete—or made to comply with statutory changes. On all four forms, the enhancements columns, which were previously entitled “Y/S,” would now be entitled “Time Imposed or S for ‘Stayed’.”

Additional changes to forms CR-290, CR-290.1, and CR-292 are:

1. To comply with statutory changes, the forms now reflect the new title of the California Department of Corrections and Rehabilitation and its acronym, CDCR. (See Gov. Code, 12838(a).)
2. To comply with statutory changes and to make the forms easier to complete, a check box for “Compliance with PC 296 verified” has been added to the “testing” section. Currently, the clerks type this in the “Other orders” section. (See Pen. Code, § 296(f).)
3. To make the forms easier to complete, a check box has been added for “Immediate Sentencing” in the “Probation No. or Probation Officer” box portion of the caption. This is for cases where there is an immediate sentencing and no probation number or officer has been assigned. Currently, the clerks type this in the “Other orders” section.
4. To make the forms easier to complete, a check box has been added to reflect that the Probation Department is to prepare and submit a postsentence report to CDCR under Penal Code section 1203c. Currently, the clerks type this in the “Other orders” section.
5. To make the forms easier to complete, a fill-in section has been added for the defendant's race or national origin. Currently, the clerks type this in the “Other orders” section. Courts have included this information in the abstracts of judgment for many years at the request of the Department of Corrections and Rehabilitations.
6. In the financial obligations section:
 - To comply with statutory changes and make the forms easier to complete, the section addressing restitution fines and orders has been changed, to add a probation revocation fine under Penal Code section 1202.44 and update the format to improve usability.
 - For stylistic reasons, the words “concurrent” and “consecutive” are now spelled out instead of using abbreviations.

- To make the forms easier to complete, the check boxes for the laboratory fee under Health and Safety Code section 11372.5(a) and the drug program fee under Health and Safety Code section 11372.7(a) have been reformatted, clarified, and moved to a more logical location.
 - To make the forms easier to complete, a court security fee (Pen. Code, § 1465.8) fill-in section has been added. Currently, the clerks type this in the “Other orders” section.
7. At the request of the Department of Corrections and Rehabilitations, a check box has been added to reflect a sentence imposed under Penal Code section 1170(a)(3) (when the defendant's credits are equal to or exceed the time imposed). Currently, the clerks type this in the “Other orders” section.

Additionally, form MC-295 would be repealed. That form has been superseded by the other abstract of judgment forms and is no longer used by the courts. Therefore, it is unnecessary and should be repealed.

Alternative Actions Considered

Not applicable.

Comments From Interested Parties

The proposal was not circulated for comment because (1) the revisions are all designed to make the forms consistent with current statutes, (2) these are internal court forms used only by the court and the California Department of Corrections and Rehabilitations, and (3) the revisions are nonsubstantive technical changes or minor substantive changes that are unlikely to create controversy because they are required by statute. (See Cal. Rules of Court, rule 6.22(d)(2).)

The form revisions were developed in consultation with experienced clerks from various courts and reviewed by the Criminal Law Advisory Committee (and the court administrators on the committee) and the Department of Corrections and Rehabilitation. All parties agreed with the proposed changes.

Implementation Requirements and Costs

The recommended action will result in only minimal costs to reproduce the forms and to modify and distribute the electronic versions.

Attachments

ABSTRACT OF JUDGMENT - PRISON COMMITMENT - DETERMINATE
[NOT VALID WITHOUT COMPLETED PAGE TWO OF CR-290 ATTACHED]

CR-290

SUPERIOR COURT OF CALIFORNIA, COUNTY OF:			
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:	DOB:	-A	
AKA:		-B	
CII NO.:		-C	
BOOKING NO.:	<input type="checkbox"/> NOT PRESENT	-D	
COMMITMENT TO STATE PRISON ABSTRACT OF JUDGMENT	<input type="checkbox"/> AMENDED ABSTRACT		
DATE OF HEARING	DEPT. NO.	JUDGE	
CLERK	REPORTER	PROBATION NO. OR PROBATION OFFICER	<input type="checkbox"/> IMMEDIATE SENTENCING
COUNSEL FOR PEOPLE		COUNSEL FOR DEFENDANT	<input type="checkbox"/> APPTD.

1. Defendant was convicted of the commission of the following felonies:

Additional counts are listed on attachment _____ (number of pages attached)

COUNT	CODE	SECTION NO.	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO./DATE/YR.)	CONVICTED BY			TERM (L., M., U)	CONCURRENT	CONSECUTIVE 1/3 VIOLENT	CONSECUTIVE 1/3 NON-VIOLENT	CONSECUTIVE FULL TERM	INCOMPLETE SENTENCE (REFER TO Item 5)	654 STAY	PRINCIPAL OR CONSECUTIVE TIME IMPOSED	
						JURY	COURT	PLEA								YRS.	MOS.
					/ /												
					/ /												
					/ /												
					/ /												
					/ /												
					/ /												

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

COUNT	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

4. Defendant sentenced per: PC 667(b)-(i) or PC 1170.12 (two-strikes)
 PC 1170(a)(3). Pre-confinement credits equal or exceed time imposed (Paper Commitment). Deft. ordered to report to local Parole Office upon release.

5. INCOMPLETE SENTENCE(S) CONSECUTIVE

COUNTY	CASE NUMBER

6. TOTAL TIME ON ATTACHED PAGES: _____

7. Additional indeterminate term (see CR-292).

8. TOTAL TIME EXCLUDING COUNTY JAIL TERM: _____

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:			
-A	-B	-C	-D

9. FINANCIAL OBLIGATIONS (plus any applicable penalty assessments):

a. Restitution Fine(s):

- Case A: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.
- Case B: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.
- Case C: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.
- Case D: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.

b. Restitution per PC 1202.4(f):

- Case A: \$ _____ Amount to be determined to victim(s)* Restitution Fund
- Case B: \$ _____ Amount to be determined to victim(s)* Restitution Fund
- Case C: \$ _____ Amount to be determined to victim(s)* Restitution Fund
- Case D: \$ _____ Amount to be determined to victim(s)* Restitution Fund

* Victim name(s), if known, and amount breakdown in item 11, below. * Victim name(s) in probation officer's report.

c. Fine(s):

- Case A: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense
- Case B: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense
- Case C: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense
- Case D: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense

d. Court Security Fee: \$ _____ per PC 1465.8.

10. TESTING: a. Compliance with PC 296 verified b. DNA per PC 296 c. AIDS per PC 1202.1 d. other (specify):

11. Other orders (specify):

12. IMMEDIATE SENTENCING:

- Probation to prepare and submit post-sentence report to CDCR per PC 1203c.
- Defendant's race/national origin: _____

13. EXECUTION OF SENTENCING IMPOSED

- a. at initial sentencing hearing
- b. at resentencing per decision on appeal
- c. after revocation of probation
- d. at resentencing per recall of commitment (PC 1170(d).)
- e. other (specify):

14. CREDIT FOR TIME SERVED

CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT
A			[] 4019
			[] 2933.1
B			[] 4019
			[] 2933.1
C			[] 4019
			[] 2933.1
D			[] 4019
			[] 2933.1
Date Sentence Pronounced		Time Served in State Institution	
- -		DMH	CDC R
		[]	[]
		[]	[]

15. The defendant is remanded to the custody of the sheriff forthwith after 48 hours excluding Saturdays, Sundays, and holidays.
 To be delivered to the reception center designated by the director of the California Department of Corrections and Rehabilitation.
 other (specify):

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE	DATE
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**ABSTRACT OF JUDGMENT- PRISON COMMITMENT - DETERMINATE
SINGLE, CONCURRENT, OR FULL-TERM CONSECUTIVE COUNT FORM [Not
to be used for multiple count convictions or for 1/3 consecutive sentences]**

CR-290.1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF:		
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: AKA: CII NO.: BOOKING NO.: <input type="checkbox"/> NOT PRESENT	DOB:	CASE NUMBER
COMMITMENT TO STATE PRISON ABSTRACT OF JUDGMENT	<input type="checkbox"/> AMENDED ABSTRACT	
DATE OF HEARING	DEPT. NO.	JUDGE
CLERK	REPORTER	PROBATION NO. OR PROBATION OFFICER <input type="checkbox"/> IMMEDIATE SENTENCING
COUNSEL FOR PEOPLE	COUNSEL FOR DEFENDANT <input type="checkbox"/> APPTD.	

1. Defendant was convicted of the commission of the following felony:

COUNT	CODE	SECTION NUMBER	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO./DATE/YEAR)	CONVICTED BY			TERM (L, M, U)	TIME IMPOSED	
						JURY	COURT	PLEA		YRS.	MOS.

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

COUNT	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

4. Defendant sentenced per: PC 667(b)-(i) or PC 1170.12 (two-strikes) PC 1170(a)(3). Pre-confinement credits equal or exceed time imposed. (Paper Commitment) Defendant was ordered to report to local Parole Office upon release.

5. FINANCIAL OBLIGATIONS (plus any applicable penalty assessments): Court Security Fee of \$_____ per PC 1465.8.
 Restitution Fine(s): \$_____ per PC1202.4 (b) forthwith per PC 2085.5; \$_____ per PC 1202.45 suspended unless parole is revoked.
 ^_____ per PC 1202.44 is now due, probation having been revoked.

Restitution per PC1202.4 (f): \$_____ / Amount to be determined to * victim(s) Restitution Fund

* Victim name(s), if known, and amount breakdown in item 8, below. * Victim name(s) in probation officer's report.

Fine(s): \$_____ per PC 1202.5. \$_____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive

Includes: \$50 Lab Fee per HS 11372.5(a) \$_____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.

6. TESTING: a. Compliance with PC 296 verified b. DNA per PC 296 c. AIDS per PC 1202.1 d. other (specify): _____

7. IMMEDIATE SENTENCING: Probation to prepare and submit a post-sentence report to CDCR per PC 1203c. Def't's Race / National Origin _____

8. Other orders (specify):

9. TOTAL TIME IMPOSED EXCLUDING COUNTY JAIL TERM: _____

10. This sentence is to run concurrent with (specify):

11. Execution of sentence imposed: a. at initial sentencing hearing. b. at resentencing per decision on appeal. c. after revocation of probation.

d. at resentencing per recall of commitment. (PC 1170(d).) e. other (specify):

12. DATE SENTENCE PRONOUNCED	CREDIT FOR TIME SPENT IN CUSTODY TOTAL DAYS:	ACTUAL LOCAL TIME	LOCAL CONDUCT CREDITS	<input type="checkbox"/> 4019 <input type="checkbox"/> 2933.1	TIME SERVED IN STATE INSTITUTION DMH CDCR CRC [] [] []
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13. The defendant is remanded to the custody of the sheriff forthwith after 48 hours excluding Saturdays, Sundays, and holidays.

To be delivered to the reception center designated by the director of the California Department of Corrections and Rehabilitation.

Other (specify):

CLERK OF THE COURT: I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE	DATE
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This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

ABSTRACT OF JUDGMENT - PRISON COMMITMENT - INDETERMINATE
[NOT VALID WITHOUT COMPLETED PAGE TWO OF CR-292 ATTACHED]

CR-292

SUPERIOR COURT OF CALIFORNIA, COUNTY OF:			
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:	DOB:	-A	
AKA:		-B	
CII NO.:		-C	
BOOKING NO.:	<input type="checkbox"/> NOT PRESENT	-D	
COMMITMENT TO STATE PRISON ABSTRACT OF JUDGMENT	<input type="checkbox"/> AMENDED ABSTRACT		
DATE OF HEARING	DEPT. NO.	JUDGE	
CLERK	REPORTER	PROBATION NO. OR PROBATION OFFICER	<input type="checkbox"/> IMMEDIATE SENTENCING
COUNSEL FOR PEOPLE	COUNSEL FOR DEFENDANT		<input type="checkbox"/> APPTD.

1. Defendant was convicted of the commission of the following felonies:

Additional counts are listed on attachment _____ (number of pages attached)

COUNT	CODE	SECTION NO.	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO./DATE/YEAR)	CONVICTED BY			CONCURRENT	CONSECUTIVE	654 STAY
						JURY	COURT	PLEA			
					/ /						
					/ /						
					/ /						
					/ /						
					/ /						
					/ /						

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

COUNT	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	ENHANCEMENT	TIME IMPOSED OR "S" FOR STAYED	TOTAL

Defendant was sentenced to State Prison for an INDETERMINATE TERM as follows:

4. LIFE WITHOUT THE POSSIBILITY OF PAROLE on counts _____
5. LIFE WITH THE POSSIBILITY OF PAROLE on counts _____
6. a. 15 years to Life on counts _____ c. _____ years to Life on counts _____
- b. 25 years to Life on counts _____ d. _____ years to Life on counts _____
- PLUS enhancement time shown above
7. Additional determinate term (see CR-290).
8. Defendant was sentenced pursuant to PC 667(b)-(i) or PC 1170.12 PC 667.61 PC 667.7 other (specify):

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:			
-A	-B	-C	-D

9. FINANCIAL OBLIGATIONS (plus any applicable penalty assessments):

a. Restitution Fine(s):

- Case A: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.
- Case B: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.
- Case C: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.
- Case D: \$ _____ per PC 1202.4(b) forthwith per PC 2085.5; \$ _____ per PC 1202.45 suspended unless parole is revoked.
\$ _____ per PC 1202.44 is now due, probation having been revoked.

b. Restitution per PC 1202.4(f):

- Case A: \$ _____ Amount to be determined to victim(s)* Restitution Fund
- Case B: \$ _____ Amount to be determined to victim(s)* Restitution Fund
- Case C: \$ _____ Amount to be determined to victim(s)* Restitution Fund
- Case D: \$ _____ Amount to be determined to victim(s)* Restitution Fund

* Victim name(s), if known, and amount breakdown in item 11, below. * Victim name(s) in probation officer's report.

c. Fine(s):

- Case A: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.
- Case B: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.
- Case C: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.
- Case D: \$ _____ per PC 1202.5 \$ _____ per VC 23550 or _____ days county jail prison in lieu of fine concurrent consecutive
 includes: \$50 Lab Fee per HS 11372.5(a) \$ _____ Drug Program Fee per HS 11372.7(a) for each qualifying offense.

d. Court Security Fee: \$ _____ per PC 1465.8.

10. TESTING: a. Compliance with PC 296 verified b. DNA per PC 296 c. AIDS per PC 1202.1 d. other (specify):

11. Other orders (specify):

12. IMMEDIATE SENTENCING:

Probation to prepare and submit post-sentence report to CDCR per PC 1203c.

Defendant's race/national origin: _____

13. EXECUTION OF SENTENCING IMPOSED

- a. at initial sentencing hearing
- b. at resentencing per decision on appeal
- c. after revocation of probation
- d. at resentencing per recall of commitment (PC 1170(d).)
- e. other (specify):

14. CREDIT FOR TIME SERVED

CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT
A			[] 4019 [] 2933.1
B			[] 4019 [] 2933.1
C			[] 4019 [] 2933.1
D			[] 4019 [] 2933.1
Date Sentence Pronounced		Time Served in State Institution	
- -		DMH CDCR CRC	
		[] [] []	

15. The defendant is remanded to the custody of the sheriff forthwith after 48 hours excluding Saturdays, Sundays, and holidays.

To be delivered to the reception center designated by the director of the California Department of Corrections and Rehabilitation.

other (specify):

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE	DATE
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- b. Defendant used a firearm in count: _____ and allegation stricken as to count: _____
- c. Defendant was armed at the time of arrest with a concealed deadly weapon within the meaning of Pen. C.3024 and allegation stricken.
- d. Other (Specify and indicate if stricken): _____

9. The Court finds the defendant
- a. was armed at the time of commission or attempted commission of the crime with a deadly weapon within the meaning of Pen. C.3024
 - (1) Pen. C.3024 as to count: _____ but strikes the finding as to count: _____
 - (2) Pen. C.12022 as to count: _____ but strikes the finding as to count: _____
 - (3) Pen. C. 1203 (Specify weapon): _____ as to count: _____ but strikes the finding as to count: _____
 - b. was *not* armed at the time of commission or attempted commission of the crime within the meaning of Pen. C.3024
 - (1) Pen. C.3024 as to count: _____
 - (2) Pen. C.12022 as to count: _____
 - (3) Pen. C.1203 as to count: _____
 - c. *did* use a firearm as to count: _____ *did not* use a firearm as to count: _____
 - (1) The use was one use for the following counts: _____ additional penalty shall run consecutively to the sentence on the last count to be imposed.
 - d. *did not* use a firearm as to count: _____
 - e. was armed at the time of arrest with a concealed deadly weapon within the meaning of Pen. C.3024 but *did not* use the finding.
 - f. was *not* armed at the time of arrest with a concealed deadly weapon within the meaning of Pen. C.3024.
 - g. Other (Specify and indicate if stricken): _____

10. Prior convictions which affect the defendant's sentence were imposed and are set forth in attachment 10.
- | Conviction date | Criminal Code Section | Arresting Agency | Disposition |
|-----------------|-----------------------|------------------|-------------|
| | | | |

11. The court finds the defendant totally/wholly/wholly incapable of criminal responsibility under Penal Code Section 2644a. partially/wholly incapable of criminal responsibility under Penal Code Section 2644b.
12. The court has pronounced its sentence on the defendant and defendant was held in custody, through and including the date of pronouncement of sentence (Total in days) _____ as follows
- County Jail _____ In _____ than Dept of Corrections _____ Dept of Corrections Time _____

13. Defendant was committed to the custody of the Sheriff _____
- a. upon conditions and recommendations set forth in attachment 13a.
 - b. released on _____ earliest convenient time after 48 hours, excluding Saturdays, Sundays and holidays
- (Place defendant into possession of the Director of Corrections at
- (1) California Institution for Women - Fontana
 - (2) California Institution for Women - Vacaville
 - (3) California Institution for Men - Chino
 - (4) Other: _____
14. The court requires the defendant to undergo the diagnostic study and recommendations as provided in Pen. C. 1168.
15. The court advised defendant of all appeal rights as required in CRC Rule 250 and defendant acknowledged understanding them
16. Other (see attachment 16)

Dated: _____ (Type or print name) _____ (Signature of Judge of the Superior Court)

TOTAL NO. of boxes checked: _____ **CLERKS CERTIFICATE**

I hereby certify that the foregoing is a correct copy of the original on file in my office
Clerk of the Superior Court

[Seal]

By _____, Deputy