

S241231

SUPREME COURT
FILED

JUL 13 2017

Jorge Navarrete Clerk

Deputy

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District Attorney
County of Riverside
ELAINA GAMBERA BENTLEY
Assistant District Attorney
KELLI M. CATLETT
Chief Deputy District Attorney
IVY B. FITZPATRICK
Acting Supervising Deputy District Attorney

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State Bar No. 254151
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IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,

Petitioner,

v.

SUPERIOR COURT OF RIVERSIDE COUNTY,

Respondent,

PABLO ULLISSES LARA, JR.,

Real Party in Interest.

NO. S241231

Fourth District Court of
Appeal Case No. E067296

Riverside County Case
Nos. RIF1601012 &
RIJ1400019

REQUEST FOR JUDICIAL
NOTICE; MEMORANDUM OF
POINTS AND AUTHORITIES;
DECLARATION IN
SUPPORT THEREOF

COPY

MICHAEL A. HESTRIN
District Attorney
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ELAINA GAMBERA BENTLEY
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REQUEST FOR JUDICIAL
NOTICE; MEMORANDUM OF
POINTS AND AUTHORITIES;
DECLARATION IN
SUPPORT THEREOF

TO: THE CLERK OF THE CALIFORNIA SUPREME COURT, AND THE
HONORABLE JUSTICES THEREOF:

The People of the State of California, petitioner in the above-captioned matter, respectfully requests this Court take judicial notice of the underlying records of the Riverside County Superior Court in *People v. Pablo Ullisses Lara, Jr.* (case number RIF1601012) and *In re Pablo Ullisses Lara, Jr.* (case number RIJ1400019), pursuant California Rules of Court, rule 8.252, and Evidence Code sections 452, subdivision (d), 453, and 459.

Petitioner provides in support of this request the included Memorandum of Points and Authorities and Declaration of Donald W. Ostertag, Deputy District Attorney.

Dated: July 12, 2017

Respectfully submitted,

MICHAEL A. HESTRIN

District Attorney

County of Riverside

ELAINA GAMBERA BENTLEY


Assistant District Attorney

KELLI M. CATLETT

Chief Deputy District Attorney

IVY B. FITZPATRICK

Acting Supervising Deputy District Attorney



DONALD W. OSTERTAG

Deputy District Attorney

County of Riverside

DECLARATION OF DONALD W. OSTERTAG

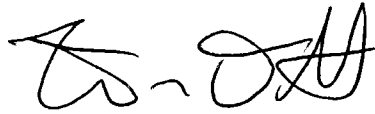
Case No. S241231

I, DONALD W. OSTERTAG, Deputy District Attorney, declare under penalty of perjury, that the following is true and correct:

1. I am employed as a Deputy District Attorney for the County of Riverside, and am assigned to represent petitioner, the People of the State of California, in this matter;
2. The initial petition for writ of prohibition/mandate was filed on December 2, 2016. Attached to that petition were various exhibits, including a case print for the underlying criminal case, *People v. Pablo Ullisses Lara, Jr.*, Riverside County Superior Court case number RIF1601012. That case print was current as of November 30, 2016.
3. Subsequent to the filing of the initial petition, additional procedural actions took place regarding this matter. Specifically, the proceedings in case number RIF1601012 were suspended and the matter was transferred to the juvenile court under case number RIJ1400019. Proceedings continued in the juvenile court under case number RIJ1400019 until this Court issued a stay on April 19, 2017.
4. Between November 30, 2016—the date the case print was previously prepared—and April 19, 2017—the date this Court stayed the proceedings—additional procedural actions took place in both case number RIF1601012 and case number RIJ1400019 that are relevant to the instant case.
5. Under California Rules of Court, rule 8.252(a)(3), a matter to be noticed that is not a part of the record must be included with the request unless “it is not practicable to do so.” Accordingly, petitioner has attached to this request a copy of the Riverside County Superior Court case print for case number RIF1601012. However, because the information

contained within the Riverside County Superior Court records for case number RIJ1400019 is confidential under California Rules of Court, rule 5.552, petitioner has not attached those records to this request.

Executed on July 12, 2017, at Riverside, California.

A handwritten signature in black ink, appearing to read "Donald W. Ostertag", written in a cursive style.

DONALD W. OSTERTAG
Deputy District Attorney

ARGUMENT

THIS COURT SHOULD TAKE JUDICIAL NOTICE OF THE LOWER COURT RECORDS IN RIVERSIDE COUNTY SUPERIOR COURT CASE NUMBERS RIF1601012 (*PEOPLE V. PABLO ULLISSES LARA, JR.*) AND RIJ1400019 (*IN RE PABLO ULLISSES LARA, JR.*)

Evidence Code sections 452, subdivision (d)(1), and 459, subdivision (a), permit this Court to take judicial notice of the records of “any court of this state.” (*People v. Lawley* (2002) 27 Cal.4th 102, 116, fn.2; *People v. Wiley* (1995) 9 Cal.4th 580, 594; *Alexander v. Superior Court* (1994) 22 Cal.App.4th 901, 905; *County of Orange v. Carl D.* (1999) 76 Cal.App.4th 429, 433.) A court’s authority to exercise its discretion to judicially notice relevant materials under Evidence Code section 452 is extremely broad. (See Evid. Code, § 454.) Furthermore, under Evidence Code section 453, judicial notice of materials under Evidence Code section 452 becomes compulsory when requested by a party, so long as the adverse party is provided sufficient notice and the court is provided sufficient information enabling it to take judicial notice. (Evid. Code, § 453.)

Here, the records of proceedings in the lower courts, in both the criminal and juvenile cases underlying the present case—*People v. Pablo Ullisses Lara, Jr.* (RIF1601012) and *In re Pablo Ullisses Lara, Jr.* (RIJ1400019)—are relevant to explain, and provide context for, the instant proceedings. Because much of the proceedings in the lower courts took place after the initial filing of the petition for writ of mandate/prohibition, those proceedings are not a part of the existing record. Accordingly, petitioner respectfully requests this Court take judicial notice of those records under Evidence Code sections 452, subdivision (d), 453, and 459.

CONCLUSION

Based on the foregoing, petitioner respectfully requests this Court take judicial notice of the underlying records of proceedings of the Riverside County Superior Court in *People v. Pablo Ullisses Lara, Jr.* (case number RIF1601012) and *In re Pablo Ullisses Lara, Jr.* (case number RIJ1400019).

Dated: July 12, 2017

Respectfully submitted,

MICHAEL A. HESTRIN

District Attorney

County of Riverside

ELAINA GAMBERA BENTLEY

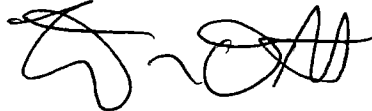
Assistant District Attorney

KELLI M. CATLETT

Chief Deputy District Attorney

IVY B. FITZPATRICK

Acting Supervising Deputy District Attorney



DONALD W. OSTERTAG

Deputy District Attorney

County of Riverside

DECLARATION OF SERVICE

Case No. S241231

I, the undersigned, declare:

I am a resident of or employed in the County of Riverside; I am over the age of 18 years and not a party to the within action.

My business address is 3960 Orange Street, Riverside, California.

My electronic service address is Appellate-Unit@RivCoDa.org.

That on July 12, 2017, I served a copy of the within, **REQUEST FOR JUDICIAL NOTICE; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION IN SUPPORT THEREOF**, by electronically serving the following parties:

LAURA ARNOLD
Attorney for Pablo Ullisses Lara, Jr.
LOPDAppellateUnit@rivco.org

Riverside County Superior Court
Attn: Hon. Richard T. Fields
Attn: Hon. Mark E. Petersen
appealsteam@riverside.courts.ca.gov

Appellate Defender's, Inc.
eservice-court@adi-sandiego.com

Attorney General's Office
sdag.docketing@doj.ca.gov

Fourth District Court of Appeal
Division Two
Case No. E064099
(served via TrueFiling)

STEVEN S. MITCHELL
mitchelllaw4u@gmail.com

I declare the foregoing to be true and correct under penalty of perjury.

Executed on July 12, 2017, at Riverside, California.



ESPERANZA GARCIA

OTSCASPRT Superior Court of California, County of Riverside Page: 1
7/11/17 CASE PRINT
www.riverside.courts.ca.gov RC

CASE NUMBER: RIF1601012 DEFENDANT STATUS: Closed
ARREST NBR : MV16031030 ARREST DATE : 3/01/16
ARREST AGY : RIV SHERIFF (COUNTY) RIV
Defendant . : LARA, PABLO ULISES JR Defn : 1 of 1

Defendant Waived 60-day rule for Trial on 9/07/16
Date Filed : 03/02/16

District Attorney : Kacey Sutton Continuances: 23
Defense Attorney : PVT Steven S Mitchell Age in Days : 194
Custody Status ... : Incustody - Bail: 1,000,000.00 Last Trial . : 11/16/16

Charge Information

Charge	Code	Description	Plea	Status	Sev
01 ARREST	209(B)(1) PC	Kidnap to commit robbery/rape	None		F
01 INFOR	209(B)(1) PC	Kidnap to commit robbery/rape	NG	Stayed	F
02 INFOR	288A(C)(2)(B) PC	Oral copulation w/minor 14 yrs or older by force/violence	NG	Stayed	F
03 INFOR	286(C)(2)(B) PC	Sodomy by force/violence/fear on victim under 14 yrs old	NG	Dismiss	F
04 INFOR	286(C)(2)(B) PC	Sodomy by force/violence/fear on victim under 14 yrs old	NG	Stayed	F
ZCOMM01	1203.065(A) PC	No probation and/or suspended sentence-certain sex offenses		HTA	
ZCOMM02	1203.065(A) PC	No probation and/or suspended sentence-certain sex offenses		HTA	
ZCOMM03	1203.065(A) PC	No probation and/or suspended sentence-certain sex offenses		HTA	

Criminal Protective Order/Firearm Surrender (DV)

Date	Type	Status	Expire
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Case Action Information

Action	Div	Description	Status
4/20/17		SUPREME COURT OF CALIFORNIA LETTER Filed.	
2/15/17		Order from District Court of Appeal 01/19/17 opinion vacated/REHEARING/brief sched.	
2/23/16	J4	Trial Readiness Conference Honorable Judge Matthew C. Perantoni, Presiding Courtroom Assistant: Theresa A. Collins Court Reporter: S. Camarata Juvenile Court Officer M Jasso Present in Court.	Dispo

OTSCASPR
7/11/17

Superior Court of California, County of Riverside
CASE PRINT
www.riverside.courts.ca.gov

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RC

CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE :	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY) RIV		
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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People represented by Deputy District Attorney:
Kacey Sutton.
Defendant represented by PVT Steven S Mitchell.
Minor/defendant incustody is Present in Court.
Mother Present in Court.
Father Present in Court.
Adult Sister Present in Court.
Certified Interpreter A Trujillo is present and
sworn to interpret Spanish for mother.
Certification or registration number has been
validated and identification has been verified by
badge issued by Judicial Council.
The oath has been administered and a sworn oath
is on file.
The matter was sent back to Juvenile Court
pursuant to Prop 57.
Minor has a 600/Juvenile Matter RIJ1400019.
There is a writ pending.
No action is taken on this matter.
Minor detained at Juvenile Hall pending further
order of the Court.
Minute Entry Complete
Minute Order printed to Robert Presley Detention
Center.

J3 Trial Readiness Conference Dispo
Honorable Commissioner Walter H Kubelun, Presiding
Courtroom Assistant: Theresa A. Collins
Court Reporter: D. Rodriguez
Juvenile Court Officer M. Jasso Present in Court.
People represented by Deputy District Attorney:
Kacey Sutton.
Defendant represented by PVT Steven S Mitchell.
Minor is not present.
People of the State of California do not
stipulate to the Commissioner Walter H. Kubelun
for the purposes of this hearing.
The Trial Readiness Conference is continued to
Department J4.
Trial Readiness Conference set for 12/23/2016 at
8:30 in Department J4.
Minute entry complete.

2/21/16 Request for Continuance Pursuant to PC 1050 filed.

34 Trial Readiness Conference Dispo
Honorable Judge Richard T. Fields, Presiding

OTSCASPRT
7/11/17

Superior Court of California, County of Riverside
CASE PRINT
www.riverside.courts.ca.gov

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RC

CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE :	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY) RIV		
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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Courtroom Assistant: K. Shepherd
 Court Reporter: M. Latham
 People represented by Deputy District Attorney:
 Donald W Ostertag by Fitzpatrick.
 Defendant represented by PVT Steven S Mitchell.
 Defendant Present.
 Criminal proceedings suspended. Court finds
 defendant was a Juvenile at the time of the
 offense; birth date 02/25/2000. Matter certified
 to Juvenile Court.
 Certification to Juvenile Court generated
 [Riverside]
 District Attorney notified Riverside Juvenile.
 Trial Readiness Conference set for 12/23/2016 at
 8:00 in Department J3.
 - - Custody Status/Information - -
 Minor detained at Juvenile Hall pending further
 order of the Court.
 Remains remanded to custody of Riverside Sheriff.
 Bail to Remain as fixed.
 Minute order printed to Riverside Juvenile Hall.
 Minute Order printed to Robert Presley Detention
 Center.
 Minute order printed to Riverside Juvenile Hall.

 Court Initiated 8715 Printed.

2/16/16 Order from District Court of Appeal REAL PRTY IN
 INTRST REQSTD TO FILE INFRML LETTER .

2/14/16 Order re: Suspending Criminal Proceedings filed.

34 Hearing set re: Modification of Court Order Dispo
 Honorable Judge Richard T. Fields, Presiding
 Courtroom Assistant: F. JONES
 Court Reporter: S. Mouzakis
 People represented by Deputy District Attorney:
 Donald W Ostertag.
 Defendant represented by PVT Steven S Mitchell.
 Defendant is not present.
 Defendant's appearance waived.
 Motion by Defense Re modification of court order
 is called for hearing.
 Court has read and considered Defense's Order
 Suspending Criminal Proceedings.
 Argument by People.
 Argument by Defense.

OTSCASPR7/11/17

Superior Court of California, County of Riverside
CASE PRINT
www.riverside.courts.ca.gov

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RC

CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE :	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY) RIV		
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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Court signs Order Suspending Criminal Proceedings and Certifying the Cause to the Juvenile Court for the County of Riverside Pursuant to W&I 604.
The order is stayed until 12/21/16 at 4:30 pm. unless lifted by this court or on appellate court at an earlier time.
Court Orders Order Suspending Criminal Proceedings Filed
Hearing on 12/21/2016 at 8:30 for TRC in Dept. 34 is Confirmed.
Court orders defendant to be present at next hearing date.
- - Custody Status/Information - -
Bail to Remain as fixed.
Minor detained at Juvenile Hall pending further order of the Court.
Minute order printed to Riverside Juvenile Hall.
Minute Order printed to Robert Presley Detention Center.
Minute order printed to Riverside Juvenile Hall.
Minute Order printed to Robert Presley Detention Center.

1/29/16 Court Order: Allowed to Bring Computer Equipment Filed.

Request for Continuance Pursuant to PC 1050 filed.

34 Trial Readiness Conference Dispo
Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: K. Shepherd
Court Reporter: L. Johnson
People represented by Deputy District Attorney: Kacey Sutton.
People represented by Deputy District Attorney: Donald W Ostertag.
Defendant represented by PVT Steven S Mitchell.
Defendant Present.
Trial Readiness Conference set for 12/21/2016 at 8:30 in Department 34.
Defendant waives time for trial to 12/21/2016 plus 30 days.
Court has read and considered Support of a Fitness Hearing in Juvenile Court.
Motion by Defense Re Fitness Hearing in Juvenile Court is called for hearing.

OTSCASPRT
7/11/17

Superior Court of California, County of Riverside
CASE PRINT
www.riverside.courts.ca.gov

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RC

CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE :	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY)	RIV	
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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Motion/Petition granted.
 Court will stay ruling until 4:30pm on 12/20/16.
 Defendant ordered to return on any and all future hearing dates.

- - Custody Status/Information - -
 Bail to Remain as fixed.

Minor detained at Juvenile Hall pending further order of the Court.
 Minute order printed to Riverside Juvenile Hall.
 Minute Order printed to Robert Presley Detention Center.

11/16/16 Points & Authorities in Suppt of Fitness Hearing Filed.

11/14/16 Request for Continuance Pursuant to PC 1050 filed.

34 Trial Readiness Conference Dispo

Honorable Judge Richard T. Fields, Presiding
 Courtroom Assistant: T. Koenig
 Court Reporter: T. Forsyth
 People represented by Deputy District Attorney:
 Kacey Sutton by D Tahan.
 Defendant represented by PVT S Mitchell.
 Defendant Present.
 Defense wishes to have fitness hearing
 Parties to brief this issue
 Trial Readiness Conference set for 11/29/2016 at 8:30 in Department 34.
 Defendant waives time for trial until 11-29-16 plus 30 cal days.
 Defense to file and serve by 11-18-16 4pm
 People response by 11-23-16 4pm
 Defendant ordered to return on any and all future hearing dates.

- - Custody Status/Information - -
 Bail to Remain as fixed.

Remains remanded to custody of Riverside Sheriff.
 Minute order printed to Riverside Juvenile Hall.
 Remains remanded to custody of Riverside Sheriff.
 Minute Order printed to Robert Presley Detention Center.

10/17/16 Order from Supreme Court/pet&appl stay denied Filed.

10/07/16 Defendant's Financial Statement and Notice to

OTSCASPRT
7/11/17

Superior Court of California, County of Riverside
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RC

CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE:	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY) RIV		
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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Defendant filed. (Confidential)

Request for Continuance Pursuant to PC 1050 filed.

34 Trial Readiness Conference Dispo

Honorable Judge Richard T. Fields, Presiding
 Courtroom Assistant: T. Koenig
 Court Reporter: S. Mouzakis
 People represented by Deputy District Attorney:
 Kacey Sutton by M Brusselback.
 Defendant represented by PVT S Mitchell.
 Defendant Present.
 Oral motion by Defense Re find defendant indigent
 is called for hearing
 Motion/Petition granted.
 DEFENDANT HAS BEEN FOUND INDIGENT
 Trial Readiness Conference set for 11/14/2016 at
 8:30 in Department 34.
 Defendant waives time for TRIAL UNTIL 11-14-16
 PLUS 30 CAL DAYS.
 Defendant ordered to return on any and all future
 hearing dates.
 - - Custody Status/Information - -
 Bail to Remain as fixed.
 Remains remanded to custody of Riverside Sheriff.
 Minute order printed to Riverside Juvenile Hall.
 Jail commitment issued. (hand processed)
 Minute Order printed to Robert Presley Detention
 Center.

9/07/16 Request for Continuance Pursuant to PC 1050 filed.

34 Jury Trial Dispo

Honorable Judge Richard T. Fields, Presiding
 Courtroom Assistant: K. Shepherd
 Court Reporter: T. Forsyth
 People represented by Deputy District Attorney:
 Kacey Sutton by David Tahan.
 Public Defender is Relieved.
 Special Appearance by PVT Steven S Mitchell.
 Defendant Present.
 Trial Readiness Conference set for 10/07/2016 at
 8:30 in Department 34.
 Defendant waives time for trial to 10/07/2016
 plus 30 days.
 Defendant waives 60 day rule for Trial on
 09/07/2016

OTSCASPR
7/11/17

Superior Court of California, County of Riverside
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CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE :	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY)	RIV	
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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Defendant ordered to return on any and all future hearing dates.

- - Custody Status/Information - -

Court will allow visit from the following:

Paula Lara (sister) and Alex Lara (brother)

upon all rules and compliance of the facility.

Bail to Remain as fixed.

Remains remanded to custody of Riverside Sheriff.

Jail commitment issued. (hand processed)

Minute Order printed to Robert Presley Detention Center.

Minor detained at Juvenile Hall pending further order of the Court.

Minute order printed to Riverside Juvenile Hall.

8/23/16 Order from District Court of Appeal Req for stay is DENIED.

8/15/16 34 Jury Trial Dispo

Honorable Judge Richard T. Fields, Presiding

Courtroom Assistant: S. Ayad

Court Reporter: S. Mouzakis

People represented by Deputy District Attorney:

Kacey Sutton (NP).

Defendant represented by DPD-Linda Petrovich (NP).

Defendant is not present.

Per Court; today's hearing should have been vacated.

Trial Date set on 09/07/16 at 8:30 is confirmed.

Motion granted.

- - Custody Status/Information - -

Remains remanded to custody of Riverside Sheriff.

8/09/16 Request for Continuance Pursuant to PC 1050 filed.

34 Trial Readiness Conference Dispo

----- CORRECTED MINUTE ORDER -----

Honorable Judge Richard T. Fields, Presiding

Courtroom Assistant: K. Shepherd

Court Reporter: S. Mouzakis

People represented by Deputy District Attorney:

Kacey Sutton.

Defendant represented by DPD-Linda Petrovich.

Defendant Present.

Jury Trial set for 09/07/2016 at 8:30 in

Department 34.

Last day for trial to commence is 09/17/2016.

OTSCASPRT
7/11/17

Superior Court of California, County of Riverside
CASE PRINT
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CASE NUMBER: RIF1601012
ARREST NBR : MV16031030
ARREST AGY : RIV SHERIFF (COUNTY) RIV
Defendant .: LARA, PABLO ULISES JR

DEFENDANT STATUS: Closed
ARREST DATE: 3/01/16

Defn : 1 of 1

Defendant ordered to return on any and all future hearing dates.

- - Custody Status/Information - -

Bail to Remain as fixed.

Remains remanded to custody of Riverside Sheriff.

Minute order printed to Riverside Juvenile Hall.

Minor detained at Juvenile Hall pending further order of the Court.

Jail commitment issued. (hand processed)

Minute Order printed to Robert Presley Detention Center.

Minute Order printed to Robert Presley Detention Center.

34 Hearing on Motion Re: SET ASIDE COUNT ONE THREE AND FOUR OF THE INFORMAT Dispo

HONORABLE JUDGE RICHARD T. FIELDS, PRESIDING

COURTROOM ASSISTANT: K. SHEPHERD

COURT REPORTER: S. MOUZAKIS

People represented by Deputy District Attorney:

Kacey Sutton.

Defendant represented by DPD-Linda Petrovich.

Defendant Present.

Court has read and considered Motion to set aside Count 1/3/4 filed 07/07/16.

Court has read and considered Opposition to

Motion to dismiss filed on 08/02/16..

Motion by Defense Re a 995 motion on count 1-3-4. is called for hearing.

995 PC motion denied as to Count 01.

995 PC motion denied as to Count 04.

995 Penal Code motion is granted as to count(s) 03.

- - Custody Status/Information - -

Bail to Remain as fixed.

Remains remanded to custody of Riverside Sheriff.

Jail commitment issued. (hand processed)

Minor detained at Juvenile Hall pending further order of the Court.

Minute Order printed to Robert Presley Detention Center.

Minute Order printed to Robert Presley Detention Center.

Minute order printed to Riverside Juvenile Hall.

8/02/16 Opposition to Motion Dismiss the Infomation filed by District Attorney.

OTSCASPRT
7/11/17

Superior Court of California, County of Riverside
CASE PRINT
www.riverside.courts.ca.gov

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CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE:	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY)	RIV	
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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7/21/16 Request for Continuance Pursuant to PC 1050 filed.

34 Trial Readiness Conference Dispo

Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: K. Shepherd
Court Reporter: T. Forsyth
People represented by Deputy District Attorney:
Kacey Sutton.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.
Trial Readiness Conference set for 08/09/2016 at
8:30 in Department 34.
Dates set are within previous time waiver.
Defendant ordered to return on any and all future
hearing dates.
- - Custody Status/Information - -
Bail to Remain as fixed.
Remains remanded to custody of Riverside Sheriff.
Minute Order printed to Robert Presley Detention
Center.
Minor detained at Juvenile Hall pending further
order of the Court.
Minute order printed to Riverside Juvenile Hall.

34 Hearing on Motion Re: SET ASIDE COUNT ONE THREE AND FOUR OF THE INFORMAT Dispo

Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: K. Shepherd
Court Reporter: T. Forsyth
People represented by Deputy District Attorney:
Kacey Sutton.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.
People's motion to continue pursuant to 1050 PC
is granted. The motion to continue is opposed by
deft. Hrg cont'd to 08/09/2016 at 8:30, Dept 34.
Defendant ordered to return on any and all future
hearing dates.
- - Custody Status/Information - -
Bail to Remain as fixed.
Minor detained at Juvenile Hall pending further
order of the Court.
Remains remanded to custody of Riverside Sheriff.
Minute Order printed to Robert Presley Detention
Center.
Minute order printed to Riverside Juvenile Hall.

OTSCASPR
7/11/17

Superior Court of California, County of Riverside
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www.riverside.courts.ca.gov

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RC

CASE NUMBER: RIF1601012 DEFENDANT STATUS: Closed
ARREST NBR : MV16031030 ARREST DATE : 3/01/16
ARREST AGY : RIV SHERIFF (COUNTY) RIV
Defendant .: LARA, PABLO ULISES JR Defn : 1 of 1
=====

7/15/16 Request for Continuance Pursuant to PC 1050 filed.

34 Trial Readiness Conference Dispo
Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: K. Shepherd
Court Reporter: T. Kotick
People represented by Deputy District Attorney:
Alma Hernandez.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.
Trial Readiness Conference set for 07/21/2016 at
8:30 in Department 34.
Hearing on 08/15/2016 at 8:30 for JT in Dept. 34
is Confirmed.
Defendant ordered to return on any and all future
hearing dates.
- - Custody Status/Information - -
Jail commitment issued. (hand processed)
Bail to Remain as fixed.
Remains remanded to custody of Riverside Sheriff.
Minor detained at Juvenile Hall pending further
order of the Court.
Minute Order printed to Robert Presley Detention
Center.
Minute order printed to Riverside Juvenile Hall.

7/07/16 Motion TO SET ASIDE COUNTS ONE THREE AND FOUR OF THE INFO filed.

6/10/16 Request for Continuance Pursuant to PC 1050 filed.

Information filed.

Information Filed

Felony Fingerprint Form filed.

34 Information Arraignment Dispo
Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: T. Koenig
Court Reporter: S. Mouzakis
Public Defender Appointed.
People represented by Deputy District Attorney:
Kacey Sutton BY C Kenyon.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.

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CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE:	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY) RIV		
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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Pursuant to 989 PC defendant does not declare true name.
 Defendant waives formal arraignment.
 Defendant Advised of Constitutional Rights.
 Defendant advised of right to a speedy and public trial by judge or jury.
 Defendant advised of right to confront and cross examine witnesses; right to present evidence on own behalf.
 Defendant advised of privilege against self-incrimination.
 Defendant advised of charges and consequences of his/her plea and statutory sentencing.
 Court finds based on inquiry and examination of deft, that deft has the ability to understand and does understand his/her constitutional rights.
 Pleads Not Guilty to all charges.
 Case assigned to Department 34, to Judge Richard T. Fields for all further proceedings.
 Trial Readiness Conference set for 07/15/2016 at 8:30 in Department 34.
 Jury Trial set for 08/15/2016 at 8:30 in Department 34.
 Defendant ordered to return on any and all future hearing dates.
 - - Custody Status/Information - -
 Counsel Stipulate the last day for Trial is 08/25/2016
 Defendant waives 60 day rule for Trial on 06/10/2016
 Defendant ordered to return on any and all future hearing dates.
 - - Custody Status/Information - -
 Bail to Remain as fixed.
 Remains remanded to custody of Riverside Sheriff.
 Minute order printed to Riverside Juvenile Hall.
 Jail commitment issued. (hand processed)
 Minute Order printed to Robert Presley Detention Center.

6/02/16

Preliminary Hearing Transcript filed.

5/26/16

Returned Exhibits Receipt (Pursuant to CRC Rule 2.400) (Courtroom Assistants) filed [CR038]

44

Preliminary Hearing
Honorable Judge Bernard J. Schwartz, Presiding

Dispo

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RC

CASE NUMBER: RIF1601012
ARREST NBR : MV16031030
ARREST AGY : RIV SHERIFF (COUNTY) RIV
Defendant : LARA, PABLO ULISES JRDEFENDANT STATUS: Closed
ARREST DATE: 3/01/16

Defn : 1 of 1

Courtroom Assistant: D. Siordian
Court Reporter: H. Bowden
People represented by Deputy District Attorney:
Kacey Sutton.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.
At 9:21 the following proceedings were held:
John Tometich designated as Investigating Officer.
Oral motion by People Re redact victim's name to
K.H. is called for hearing
Motion granted.
People's witness John Tometich (9:21), is sworn
and testifies.
People's Exhibit 1, described as Photo of guns on
table is/are marked for identification only.
Defense requests that Investigator Tometich
watch the video to refresh his recollection.
Defendant's exhibit A, described as Video is/are
marked for identification only.
Court goes off the record so the investigator
may watch the video.
Court in recess at 10:05.
At 11:05 the following proceedings were held:
Counsel as noted above and Defendant are Present
in Court.
People's witness John Tometich (11:05),
previously sworn, resumes the witness stand.
John Tometich resumes his seat at counsel table
at 11:19.
People's exhibit(s) 1 is/are admitted into
evidence.
People rest(s).
No defense at this time.
Defense A is note admitted into evidence.
People submit subject to rebuttal.
Argument by Defense.
Further argument by Counsel.
Court holds the Defendant to answer on 2 counts
of 209(B)(1).
2 Counts of Oral Copulation.
and 2 Counts of Sodomy.
Court finds insufficient cause to believe the
defendant guilty, and orders defendant discharged
as to Count(s) 5.
Complaint is orally amended to add count 7, a
violation of Section 288A(C)(2)(B) PC.
Court finds sufficient cause to hold the

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RC

CASE NUMBER: RIF1601012
ARREST NBR : MV16031030
ARREST AGY : RIV SHERIFF (COUNTY) RIV
Defendant .: LARA, PABLO ULISES JR

DEFENDANT STATUS: Closed
ARREST DATE: 3/01/16

Defn : 1 of 1

defendant to answer.
Court reporter ordered to prepare transcript of Preliminary Hearing at County Treasury expense. Information arraignment set for 06/10/2016 at 8:30 in Department 34.
Court orders People's 1 and Defense A returned to Counsel for safekeeping.
No objection by either party.
- - Custody Status/Information - -
Defendant ordered to return on any and all future hearing dates.
Bail to Remain as fixed.
Defendant Remains Remanded to the Custody of Juvenile Hall.
Minute order printed to Riverside Juvenile Hall.
Jail commitment issued. (hand processed)

34 Preliminary Hearing Dispo
Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: K. Shepherd
Court reporter was not present for the following proceedings:
People represented by Deputy District Attorney: Kacey Sutton.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.
Case assigned to department 44 for all further proceedings.
Preliminary Hearing set for 05/26/2016 at 9:00 in Dept 44.
Defendant ordered to return on any and all future hearing dates.
- - Custody Status/Information - -
Bail to Remain as fixed.
Remains remanded to custody of Riverside Sheriff.
Minute Order printed to Robert Presley Detention Center.

5/13/16 Request for Continuance Pursuant to PC 1050 filed.

34 Felony Settlement Conference Dispo
Honorable Judge Richard T. Fields, Presiding
Court Reporter: T. Forsyth
People represented by Deputy District Attorney: Kacey Sutton.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.

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CASE NUMBER: RIF1601012 DEFENDANT STATUS: Closed
ARREST NBR : MV16031030 ARREST DATE : 3/01/16
ARREST AGY : RIV SHERIFF (COUNTY) RIV
Defendant .: LARA, PABLO ULISES JR Defn : 1 of 1

Hearing on 05/26/2016 at 8:30 for PH in Dept. 34
is Confirmed.
Defendant ordered to return on any and all future
hearing dates.
- - Custody Status/Information - -
Bail to Remain as fixed.
Remains remanded to custody of Riverside Sheriff.
Minute order printed to Riverside Juvenile Hall.
Remains remanded to custody of Riverside Sheriff.
Jail commitment issued. (hand processed)
Minute Order printed to Robert Presley Detention
Center.

4/22/16 Request for Continuance Pursuant to PC 1050 filed.

34 Jail Commitment Notice printed.

34 Felony Settlement Conference Dispo

Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: L. Junio
Court Reporter: T. Forsyth
People represented by Deputy District Attorney:
Kacey Sutton by Alma Hernandez.
Defendant represented by DPD-Linda Petrovich by
Ruby Anderson.
Defendant Present.
At 9:43 the following proceedings were held:
Stipulated motion to continue pursuant to 1050 PC
is granted. Hearing continued to 05/13/2016 at
8:30, Dept. 34.
Pursuant to 1050(d) PC, the court finds good
cause has been shown to grant the continuance.
1050 Reason for continuance: Other
Preliminary Hearing set for 05/26/2016 at 8:30
in Dept 34.
Defendant waives time for Preliminary Hearing to
05/26/2016 plus 10 court days.
Defendant ordered to return on any and all future
hearing dates.
- - Custody Status/Information - -
Bail to Remain as fixed.
Remains remanded to custody of Riverside Sheriff.
Minor detained at Juvenile Hall pending further
order of the Court.
Minute order printed to Riverside Juvenile Hall.
Jail commitment issued. (hand processed)
Minute Order printed to Robert Presley Detention

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CASE NUMBER: RIF1601012 DEFENDANT STATUS: Closed
ARREST NBR : MV16031030 ARREST DATE : 3/01/16
ARREST AGY : RIV SHERIFF (COUNTY) RIV
Defendant .: LARA, PABLO ULISES JR Defn : 1 of 1

Center.

4/01/16 Request for Continuance Pursuant to PC 1050 filed.

34 Felony Settlement Conference Dispo
Honorable Judge Richard T. Fields, Presiding
Courtroom Assistant: T. Koenig
Court Reporter: M. Latham
People represented by Deputy District Attorney: Gary Polk.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.
Felony Settlement Conference set on 04/22/2016 at 8:30 in Dept. 34
Defendant waives time for Preliminary Hearing plus 10 court days.
Defendant waives 60 day rule for Preliminary Hearing on 04/01/2016
Defendant ordered to return on any and all future hearing dates.
- - Custody Status/Information - -
Bail to Remain as fixed.
Remains remanded to custody of Riverside Sheriff.
Minor detained at Juvenile Hall pending further order of the Court.
Defendants parents Pablo and Veronica Lara may have visit with minor
Minute order printed to Riverside Juvenile Hall.
Minute Order printed to Robert Presley Detention Center.

3/18/16 First Amended Felony Complaint filed.

41 Arraignment Dispo
Honorable Judge Becky Dugan, Presiding
Courtroom Assistant: S. Robinson
Court Reporter: T. Collins
People represented by Deputy District Attorney: Kasey Sutton.
Defendant represented by DPD-Linda Petrovich.
Defendant Present.
Defendant arraigned on amended complaint.
Discovery provided to defense counsel.
Defense counsel acknowledges receipt of discovery.
Pursuant to 989 PC defendant does not declare true name.
Defendant Arraigned.

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CASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE :	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY)	RIV	
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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Defendant Advised of Constitutional Rights.
 Defendant advised of right to a speedy and public trial by judge or jury.
 Defendant advised of right to confront and cross examine witnesses; right to present evidence on own behalf.
 Defendant advised of privilege against self-incrimination.
 Defendant advised of charges and consequences of his/her plea and statutory sentencing.
 Pleads Not Guilty to all charges.
 Felony Settlement Conference set on 04/01/2016 at 8:30 in Dept. 34
 Defendant waives 10 day rule.
 Defendant waives time for Preliminary Hearing plus 10 court days.
 Defendant denies enhancement(s).
 Defendant ordered to return on any and all future hearing dates.
 - - Custody Status/Information - -
 Minor detained at Juvenile Hall pending further order of the Court.
 Remains remanded to custody of Riverside Sheriff.
 Bail to Remain as fixed.
 Jail commitment issued. (hand processed)
 Minute order printed to Riverside Juvenile Hall.
 Minute Order printed to Robert Presley Detention Center.

3/16/16 41

Arraignment	Dispo
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Honorable Judge Becky Dugan, Presiding
 Courtroom Assistant: S. Robinson
 Court Reporter: T. Collins
 People represented by Deputy District Attorney:
 Kasey Sutton by Kevin Beecham.
 Defendant represented by DPD-Linda Petrovich.
 Defendant Present.
 At 10:10 the following proceedings were held:
 Defense motion to continue pursuant to 1050PC is granted. Motion to continue is not opposed by the People. Hrg cont'd to 03/18/2016 at 8:30, Dept 41.
 Pursuant to 1050(d) PC, the court finds good cause has been shown to grant the continuance.
 Defendant waives time.
 Defendant ordered to return on any and all future hearing dates.

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ASE NUMBER:	RIF1601012	DEFENDANT STATUS:	Closed
ARREST NBR :	MV16031030	ARREST DATE	3/01/16
ARREST AGY :	RIV SHERIFF (COUNTY) RIV		
Defendant .:	LARA, PABLO ULISES JR	Defn :	1 of 1

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- - Custody Status/Information - -
 Minor detained at Juvenile Hall pending further order of the Court.
 Remains remanded to custody of Riverside Sheriff.
 Bail to Remain as fixed.
 Jail commitment issued. (hand processed)
 Minute order printed to Riverside Juvenile Hall.
 Minute Order printed to Robert Presley Detention Center.

3/02/16 41I Felony Incustody Arraignment Dispo

Honorable Judge Becky Dugan, Presiding
 Courtroom Assistant: F. Carrasco
 Court Reporter: Y. Soto
 People represented by Deputy District Attorney:
 Jennifer Dickerson.
 Defendant Present.
 Public Defender Appointed.
 Defendant represented by DPD-Lisa Larson.
 At 13:57 the following proceedings were held:
 Arraignment set for 03/16/2016 at 8:30 in Dept 41
 Defendant ordered to return on any and all future hearing dates.

- - Custody Status/Information - -
 Bail Set in Amount of \$1000000.00.
 Remains remanded to custody of Riverside Sheriff.
 Minor detained at Juvenile Hall pending further order of the Court.
 Jail commitment issued. (hand processed)
 Minute Order printed to Robert Presley Detention Center.
 Minute order printed to Riverside Juvenile Hall.
 Minute order printed to Riverside Juvenile Hall.

 Case Designation: Vertical. Case assigned to Dept. 41

Case Designation: Vertical. Case assigned to Dept. 34

Electronic - DA3

Electronic - Complaint Filed.

EFILE DA INTERFACE ENTRY

*** No Local DMV data available for this case ***
 **** END OF CASE PRINT ****