

S248125

Supreme Court No. _____

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

In re Christopher Lee White,

Petitioner,

On Habeas Corpus.

Court of Appeal No. D073054
Superior Court No. SCN376029

PETITIONER'S REQUEST FOR JUDICIAL NOTICE

LAURA SCHAEFER
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CHRISTOPHER LEE WHITE

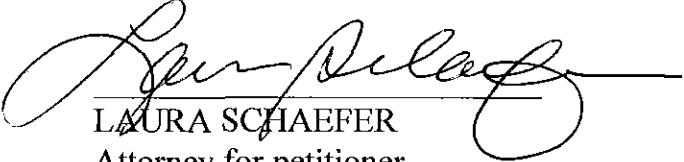
To the Honorable Tani Cantil-Sakauye, Chief Justice, and the Honorable Associate Justices of the Supreme Court of the State of California:

Pursuant to rules 8.252 and 8.366(a)/8.470 of the California Rules of Court, petitioner, Christopher Lee White, respectfully requests that this court take judicial notice of the reporter's transcript of the readiness conference before the Honorable K. Michael Kirkman on February 23, 2018 in this case, attached to the Declaration of Laura Schaefer as Exhibit A. (Evidence Code §§ 452, subd. (d)(1), and 459, subd. (a).)

This request is based upon the present moving papers, the supporting memorandum of points and authorities, and the petition filed in this case.

Dated: April 10, 2018

Respectfully submitted,


LAURA SCHAEFER
Attorney for petitioner
CHRISTOPHER LEE WHITE

**MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF REQUEST FOR JUDICIAL NOTICE**

- I. This Court may take judicial notice of the reporter's transcript of the February 23, 2018, hearing because it is relevant to the issue raised in Mr. White's petition for review.**

A reviewing court may take judicial notice of the records of a state court relevant to the issue presented. (Evid. Code § 452, subd. (d)(1); See, *Taus v. Loftus* (40 Cal.4th 683, 726 [Reviewing court may take judicial notice of court records under Evidence Code section 452 where they are relevant to the issue presented].) The transcript of the readiness conference hearing conducted on February 23, 2018, before the Fourth District Court of Appeal, Division One, issued its opinion in this case is relevant to whether Mr. White's pretrial detention is for the asserted State interest of protection of the public or whether the prosecutor is using the pretrial detention of Mr. White as punishment.

II. Conclusion

For the foregoing reasons, petitioner requests that judicial notice be granted.

Dated: April 10, 2018

Respectfully submitted,



LAURA SCHAEFER
Attorney for petitioner
CHRISTOPHER LEE WHITE

Declaration of Laura Schaefer

I, Laura Schaefer, counsel for petitioner, declare that Exhibit A is a certified copy of the reporter's transcript of the readiness conference before the Honorable K. Michael Kirkman on February 23, 2018.

I declare under penalty of perjury the foregoing is true and correct.
Executed this 10th day of April, 2018, at San Diego, California.


Laura Schaefer

EXHIBIT A

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO
NORTH COUNTY DIVISION

DEPARTMENT 5

HON. K. MICHAEL KIRKMAN, JUDGE

THE PEOPLE,

VS.

CHRISTOPHER WHITE,
JEREMIAH OWENS

DEFENDANTS.

)
)
) CASE NO. SCN376029
)
) READINESS CONFERENCE
)
)
)
)
)
)

REPORTER'S TRANSCRIPT

FEBRUARY 23, 2018

APPEARANCES:

FOR THE PLAINTIFF:

SUMMER STEPHAN
DISTRICT ATTORNEY
BY: DAN OWENS
DEPUTY DISTRICT ATTORNEY
325 SOUTH MELROSE, SUITE 5000
VISTA, CALIFORNIA 92083

FOR DEFENDANT OWENS:

ANGELA BARTOSIK
PUBLIC DEFENDER
BY: SHERRY STONE
DEPUTY PUBLIC DEFENDER
495 LA TORTUGA DRIVE
SUITE 100
VISTA, CALIFORNIA 92081

FOR DEFENDANT WHITE:

ROBERT BOYCE
ATTORNEY AT LAW
934 23RD STREET
SAN DIEGO, CALIFORNIA 92102

CERTIFIED TRANSCRIPT

JANET F. GIANNANTONIO, CSR 12717
OFFICIAL COURT REPORTER
VISTA, CALIFORNIA

1 VISTA, CALIFORNIA, FRIDAY, FEBRUARY 23, 2018, 10:30 AM

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4
5 THE COURT: ADDRESSING A CODEFENDANT MATTER, PEOPLE
6 VERSUS WHITE AND OWENS, 106A AND 106B.

7 MR. OWENS: GOOD MORNING, YOUR HONOR. DEPUTY DISTRICT
8 ATTORNEY DAN OWENS FOR THE PEOPLE.

9 THE COURT: MORNING.

10 MS. STONE: GOOD MORNING, YOUR HONOR. SHERRY STONE ON
11 BEHALF OF JEREMIAH OWENS. HE'S THE GENTLEMAN IN CUSTODY TO
12 MY IMMEDIATE RIGHT.

13 THE COURT: THANK YOU.

14 MR. BOYCE: GOOD MORNING, YOUR HONOR. ROBERT BOYCE ON
15 BEHALF OF MR. WHITE, WHO IS ALSO IN CUSTODY. AND HE'S THE
16 GENTLEMAN TO YOUR LEFT.

17 THE COURT: THANK YOU.

18 ALL RIGHT. I KNOW I HAD A DISCUSSION WITH
19 THE PARTIES AND I KNOW THE PARTIES WISH NEW AND DIFFERENT
20 DATES. WE DISCUSSED MARCH 23RD AND MAY 14 RESPECTIVELY.

21 DO THOSE REMAIN GOOD DATES?

22 MS. STONE: YES, YOUR HONOR.

23 MR. BOYCE: YES, YOUR HONOR.

24 THE COURT: VERY GOOD. THEN WITH THAT, GENTLEMAN, YOU
25 EACH HAVE A RIGHT TO YOUR TRIAL BETWEEN 60 DAYS OF THE DATE
26 OF ARRAIGNMENT. UNDERSTANDING THAT, DO YOU AGREE TO WAIVE
27 TIME UNTIL MAY THE 14TH AND WITHIN 15 DAYS THEREAFTER?

28 FIRST, MR. WHITE?

1 **DEFENDANT WHITE:** YES, I DO.

2 **THE COURT:** MR. OWENS.

3 **DEFENDANT OWENS:** MM-MM.

4 **THE COURT:** IS THAT YES?

5 **DEFENDANT OWENS:** YES.

6 **THE COURT:** COUNSEL JOIN?

7 **MS. STONE:** YES.

8 **MR. BOYCE:** YES, YOUR HONOR.

9 **THE COURT:** VERY GOOD. TIME IS WAIVED. AND THIS IS BY
10 AGREEMENT.

11 PARTIES REQUIRE ADDITIONAL TIME TO CONDUCT
12 FURTHER INVESTIGATION AND PREPARATION FOR TRIAL.

13 THE COURT VACATES THE TRIAL PREVIOUSLY
14 SCHEDULED FOR MARCH THE 5TH. CALENDAR THE MATTER INSTEAD
15 FOR MAY 14TH AT 8:40 IN THIS DEPARTMENT. ALL PARTIES
16 ORDERED BACK THAT DATE AND TIME FOR TRIAL.

17 ALSO ORDERED BACK ON MARCH THE 23RD AT
18 9:30 IN THIS DEPARTMENT FOR FURTHER READINESS AT WHICH TIME
19 WE WOULD HAVE A DISCUSSION REGARDING PREASSIGNMENT OF THE --
20 THE MATTER.

21 IN THE INTERIM, BAIL REMAINS AS PREVIOUSLY
22 SET.

23 ANYTHING MORE ON BEHALF OF YOUR CLIENT,
24 MS. STONE?

25 **MS. STONE:** NO, THANK YOU.

26 **THE COURT:** AND MR. BOYCE, ON BEHALF OF YOUR CLIENT?

27 **MR. BOYCE:** YES, YOUR HONOR. I BELIEVE THAT MR. OWENS
28 IS GOING TO PUT ON THE RECORD THE PROPOSED PLEA AGREEMENT ON

1 BEHALF -- FOR MR. WHITE.

2 **THE COURT:** VERY GOOD. AND THEN INDEED, HAVING HEARD
3 FROM DEFENSE COUNSEL, THE PEOPLE DO HAVE AN OFFER ON THE
4 TABLE THAT'S BEEN EXTENDED THAT YOU WISH TO ARTICULATE FOR
5 THE RECORD. MR. OWENS.

6 **MR. OWENS:** YES. AND I CAN DO THAT AT THIS TIME, YOUR
7 HONOR.

8 I WOULD NOTE THAT PROCEDURALLY SPEAKING,
9 THERE IS A HABEAS PETITION THAT WAS FILED ON BEHALF OF
10 MR. WHITE WITHIN THE FOURTH DISTRICT COURT OF APPEALS. THE
11 APPELLATE COURT HAS NOT DECIDED THAT ISSUE AS OF TODAY.

12 WE HAVE NOT RECEIVED THE OPINION ON THE ISSUE
13 CHALLENGING THE NO BAIL ORDER THAT EXISTS REGARDING
14 MR. WHITE. ONCE THAT IS RECEIVED, I THINK THAT WE WILL BE
15 IN CONTINUED DISCUSSIONS REGARDING THE DISPOSITION OF THIS
16 CASE.

17 **THE COURT:** ALL RIGHT.

18 **MR. OWENS:** BUT AS IT RELATES TO TODAY AND THE CURRENT
19 OFFER, I WOULD NOTE THAT EACH OF THE DEFENDANTS ARE BOTH
20 INDIVIDUALLY CHARGED WITH FOUR FELONY COUNTS.

21 MR. OWENS HAS EXTENDED AN OFFER TO PLEAD TO
22 COUNT 1, WHICH WOULD BE THE ATTEMPTED KIDNAPPING FOR PURPOSE
23 OF RAPE OR LEWD AND LASCIVIOUS ACTS WITH A MINOR, A
24 15-YEAR-OLD GIRL. THEY HAVE EXTENDED THE OFFER TO PLEA TO
25 COUNT 1 FOR A STIPULATED PRISON TERM OF SEVEN YEARS.

26 AT THIS STAGE THE PEOPLE WILL NOT ACCEPT THAT
27 OFFER UNLESS THERE IS A GLOBAL RESOLUTION BETWEEN ALL
28 PARTIES ON -- WITH BOTH DEFENDANTS.

1 **THE COURT:** ALL RIGHT.

2 **MR. OWENS:** AS IT RELATES TO THE SECOND DEFENDANT,
3 MR. WHITE, MR. WHITE IS LIKewise CHARGED WITH FOUR FELONY
4 COUNTS, INCLUDING COUNT 1. COUNT 2 IS A SEXUAL ASSAULT OF A
5 MINOR UNDER THE AGE OF 18. COUNT 3 IS A CONTACTING A MINOR
6 WITH THE INTENT TO COMMIT A SEXUAL OFFENSE. AND COUNT 4 IS
7 FALSE IMPRISONMENT.

8 THE PEOPLE, AT THIS STAGE, HAVE EXTENDED AN
9 OFFER IN LIGHT OF THE OFFER THAT WAS EXTENDED BY MR. OWENS.
10 WE WOULD BE WILLING TO ACCEPT A PLEA TO AN ACCESSORY TO A
11 FELONY, SPECIFICALLY THE ATTEMPTED KIDNAPPING FOR RAPE OR
12 LEWD ACT WITH A MINOR. THAT WOULD BE A PENAL CODE SECTION
13 32 VIOLATION. AND THE PEOPLE WOULD AGREE TO A STIPULATED
14 TERM OF FORMAL PROBATION. AND --

15 **THE COURT:** AND FORMAL PROBATION AND CREDIT TIME SERVED
16 OR 365 DAYS? WHAT'S THE FURTHER AGREEMENT?

17 **MR. OWENS:** WE HAVE NOT ADDRESSED THE SPECIFIC TIME IN
18 CUSTODY AT THIS STAGE, BUT I WOULD NOTE FOR THE COURT THAT
19 MR. WHITE DOES HAVE 211 ACTUAL DAYS IN CUSTODY AS OF TODAY'S
20 DATE.

21 **THE COURT:** WHICH MAKES THE -- WHICH MAKES THE ISSUE
22 REALLY MORE OR LESS MOOT.

23 **MR. OWENS:** EXACTLY, YOUR HONOR. BY THE TIME OF
24 SENTENCING HE WOULD EXCEED THE 365 DAYS FROM CREDITS.

25 **THE COURT:** ALL RIGHT. VERY GOOD.

26 **MR. BOYCE:** AND NO 290 REGISTRATION EITHER, YOUR HONOR.

27 **THE COURT:** CORRECT.

28 **MR. OWENS:** THAT IS ACCURATE. SOLELY AS IT RELATES, OF

1 COURSE, TO MR. WHITE.

2 **THE COURT:** AND THEN WITH REGARD TO MR. WHITE, IF THE
3 CASE PROCEEDS TO TRIAL AND MR. WHITE IS CONVICTED OF
4 EVERYTHING THAT IS PRESENTLY BEING CHARGED, WHAT IS HIS
5 EXPOSURE?

6 **MR. OWENS:** MAXIMUM EXPOSURE WOULD BE NINE YEARS IN
7 STATE PRISON IF CONVICTED OF EACH ONE OF THE INDIVIDUAL
8 CHARGES. THAT IS THE FULL EXPOSURE FOR BOTH COUNT 1 AND
9 COUNT 2. AND ALL FOUR COUNTS THE PEOPLE WOULD CONCEDE ARE
10 654.

11 **THE COURT:** OKAY. AND SO INDEED, THE DEFENDANT, IF
12 CONVICTED, WOULD BE CONVICTED OF A STRIKE AS WELL.

13 **MR. OWENS:** YES. IN FACT, IT WOULD BE MULTIPLE
14 STRIKES, BUT ALSO MANDATORY 290 REGISTRATION FOR THE REST OF
15 HIS LIFE.

16 **THE COURT:** RIGHT. AND IF CONVICTED OF MULTIPLE
17 STRIKES THAT MEANS THAT IN THE FUTURE IF THE DEFENDANT IS
18 CONVICTED OF ANY FELONY OR ANY OF A NUMBER OF -- WELL, ANY
19 OF A NUMBER OF ENUMERATED FELONIES AND ANY SERIOUS OR
20 VIOLENT FELONY, THE DEFENDANT WOULD FACE A TERM MANDATED BY
21 LAW OF 25 YEARS TO LIFE; IS THAT CORRECT?

22 **MR. OWENS:** YES, IT IS.

23 **THE COURT:** ALL RIGHT. AND EACH OF THE STRIKE OFFENSES
24 WOULD ADD FIVE YEARS TO ANY TERM IN THAT CASE AS WELL, LET
25 THE RECORD REFLECT.

26 MR. BOYCE, UNDERSTANDING THE PEOPLE'S
27 POSITION THAT'S BEEN CONVEYED TO YOU, HAVE YOU DISCUSSED THE
28 POSITION OF THE PROSECUTION WITH YOUR CLIENT?

1 **MR. BOYCE:** YES, I HAVE, YOUR HONOR.

2 **THE COURT:** AND HAVING DISCUSSED THE PROSECUTION'S
3 POSITION ON THE MATTER, WHAT IS YOUR CLIENT'S POSITION WITH
4 REGARD TO THE OFFER?

5 **MR. BOYCE:** HE'S -- HE DOES NOT WANT TO ACCEPT THE
6 OFFER.

7 **THE COURT:** OKAY. ALL RIGHT THEN. WHICH IS CERTAINLY
8 HIS RIGHT. HE HAS A RIGHT TO A JURY TRIAL IN THE MATTER.

9 MR. WHITE, I JUST ENCOURAGE YOU TO CONTINUE
10 TO TALK WITH COUNSEL. KEEP AN OPEN MIND WITH REGARD TO THE
11 MATTER. THE POTENTIAL CONSEQUENCES HAVE BEEN EXPLAINED TO
12 YOU. IT'S IMPORTANT THAT YOU UNDERSTAND THE CONSEQUENCES
13 POTENTIALLY IF, IN FACT, YOU'RE CONVICTED OF EVERYTHING
14 CHARGED IN THIS CASE. AND AS STATED, IF INDEED YOU SEEK A
15 TRIAL IN THIS MATTER, THE COURT WILL AFFORD YOU A RIGHT TO A
16 JURY TRIAL AND, OF COURSE, I KNOW THAT MR. BOYCE WOULD DO AN
17 EXCELLENT JOB ON YOUR BEHALF. IT IS IMPORTANT YOU
18 UNDERSTAND NONETHELESS WHAT POTENTIAL RAMIFICATIONS ARE.

19 SO WITH THAT, THINK ABOUT THE MATTER FURTHER
20 AS WILL MR. OWENS AND WE WILL CONFIRM THE DATES THAT I'VE
21 SET FOR READINESS CONFERENCE AND JURY TRIAL. AGAIN, BAIL IS
22 SET.

23 ANYTHING MORE, MR. BOYCE?

24 **MR. BOYCE:** YES, YOUR HONOR. IN LIGHT OF THE -- OF THE
25 PEOPLE'S OFFER, I BELIEVE THAT CONSTITUTES CHANGED
26 CIRCUMSTANCES AND I WOULD RENEW THE MOTION FOR BAIL.

27 A PC 32 OFFER WITH A NOLT IN LIGHT OF THE
28 CIRCUMSTANCES IN THIS CASE WOULD AMOUNT TO AN IMMEDIATE

1 RELEASE OR AT LEAST AT THE TIME OF THE SENTENCING FOR
2 MR. WHITE. AND I THINK THAT POSITION IS COMPLETELY
3 INCONSISTENT WITH A NO BAIL STATUS OF MR. WHITE.

4 **THE COURT:** IF YOU WANT TO SET THE MATTER FOR NOTICED
5 MOTION, YOU MAY.

6 **MR. BOYCE:** I DO, YOUR HONOR.

7 **THE COURT:** JUST IS NOT -- HAS NOT BEEN NOTICED. I
8 KNOW THAT, OF COURSE, WE HAVE THE MATTER UP ON A WRIT AS
9 REGARDS BAIL IN THIS CASE. I DON'T BELIEVE, MY INITIAL
10 REACTION, THERE ARE ANY CHANGED CIRCUMSTANCES. THERE'S A
11 DIFFERENT OFFER PERHAPS, BUT IN TERMS OF THE CHARGES THAT HE
12 PRESENTLY HAS LEVIED AGAINST HIM, THE POTENTIAL
13 CONSEQUENCES, THOSE REMAIN THE SAME. AND ANY ISSUES THAT
14 MIGHT RELATE TO WHETHER HE CONSTITUTES A FLIGHT RISK REMAIN
15 IN EFFECT AS WELL GIVEN STILL THE POTENTIAL CONSEQUENCES.

16 BUT IF YOU WISH TO LITIGATE THE ISSUE FURTHER
17 BY WAY OF NOTICED MOTION, THEN WE'LL NEED TO CALENDAR IT FOR
18 THAT PURPOSE.

19 **MR. BOYCE:** COULD WE DO THAT NOW, YOUR HONOR? I HAVE
20 FILED -- THERE IS A MOTION ON FILE AND I DON'T THINK
21 ANYTHING IS GOING TO CHANGE WITHIN THE MOTION THAT SETS
22 FORTH NUMEROUS CHARACTER LETTERS AND BACKGROUND LETTERS
23 REGARDING MR. WHITE. THERE'S ALSO A PRELIMINARY HEARING
24 TRANSCRIPT THAT'S PART OF THE RECORD.

25 SO I THINK THE COURT WOULD HAVE EVERYTHING
26 THE COURT WOULD NEED TO RULE ON THAT MOTION. AND I THINK,
27 EVEN THOUGH THERE'S A WRIT PRESENTLY PENDING, BECAUSE OF THE
28 CHANGED CIRCUMSTANCES, THE COURT HAS JURISDICTION TO

1 CONSIDER BAIL IN LIGHT OF THE -- IN LIGHT OF THE PLEA OR --

2 **THE COURT:** WELL, I DON'T DISAGREE WITH YOU ON THAT.

3 **MR. OWENS:** YOUR HONOR, MAY I RESPOND --

4 **THE COURT:** YOU CAN.

5 **MR. OWENS:** -- PROCEDURALLY AS TO THE MOTION THAT YOU
6 JUST REFERENCED. THERE WAS A AFFIRMATIVE MOTION FOR
7 REASONABLE BAIL THAT WAS FILED BY MR. BOYCE ON BEHALF OF
8 MR. WHITE. THAT MOTION WAS HEARD AND ENTERTAINED BY THE
9 MAGISTRATE AT THE PRELIMINARY HEARING ON THIS MATTER ON
10 OCTOBER 5TH. THAT MOTION WAS DENIED.

11 AT THE TIME OF THE ARRAIGNMENT, NO BAIL WAS
12 SET BY THE ARRAIGNMENT COURT.

13 AT THE TIME OF THE PRELIMINARY HEARING, NO
14 BAIL WAS AFFIRMED BASED UPON A CLEAR AND CONVINCING EVIDENCE
15 STANDARD THAT EACH OF THE INDIVIDUAL DEFENDANTS POSED A
16 SUBSTANTIAL DANGER OF INFLECTING GREAT BODILY INJURY UPON
17 THE VICTIM HERSELF OR CHILDREN AT LARGE IN THE COMMUNITY.

18 WE HAVE NOW HAD TWO COURTS THAT LOOKED AT IT,
19 AS WELL AS THE APPELLATE COURT AND FOURTH DISTRICT COURT OF
20 APPEAL AND THEIR OPINION IS PENDING.

21 SO I WOULD ASK THAT, AT THIS POINT IN TIME,
22 MR. BOYCE IS, OF COURSE, FREE TO FILE ANY NEW MOTIONS THAT
23 HE MAY LIKE TO FILE, BUT THERE IS NOT A PENDING MOTION THAT
24 I WOULD SAY, AT THIS POINT IN TIME, THAT WOULD ALLOW THE
25 COURT TO ENTERTAIN ANY CHANGE IN CIRCUMSTANCES AND ATTEMPTED
26 TO SET BAIL.

27 **THE COURT:** WELL, THAT'S THE ISSUE. HAS THERE AND IS
28 THERE ANY CASE AUTHORITY THAT SUGGESTS IT BECAUSE OF A

1 PARTICULAR OFFER HAVING BEEN EXTENDED THAT CONSTITUTES A
2 CHANGES. BECAUSE IF IT DOESN'T, THE COURT WON'T REVISIT THE
3 ISSUE. SO I'LL GIVE COUNSEL AN OPPORTUNITY TO LODGE ANY
4 POINTS AND AUTHORITIES ON THAT SUBJECT THAT YOU WISH TO
5 LODGE.

6 MR. BOYCE'S POSITION IS THAT THAT DOES
7 CONSTITUTE A CHANGE. THAT IS, THE OFFER THAT'S BEEN AT
8 LEAST CONSIDERED BY THE PROSECUTION. AND AS A RESULT THE
9 COURT SHOULD ENTERTAIN A -- A FURTHER BAIL REVIEW IN THE
10 MATTER.

11 THE QUESTION FOR THE COURT NOW BECOMES WHAT
12 DATE SHOULD YOU SET FILE POINTS AND AUTHORITIES ON THE
13 SUBJECT YOU BELIEVE AND IF, IN FACT, THAT ARE NECESSARY TO
14 THE ISSUE AND I'LL CONSIDER WHAT YOU HAVE TO SUBMIT ON THE
15 SUBJECT MATTER.

16 AND AVAILABILITY BECOMES A BIT OF AN ISSUE.
17 THIS IS, AS EVERYBODY'S KNOWS, A VERY BUSY CALENDAR DURING
18 THE BALANCE OF THE -- OF THE WEEK. FRIDAYS ARE BUSY ENOUGH.

19 WHAT DAY ARE YOU SEEKING, MR. BOYCE?

20 **MR. OWENS:** YOUR HONOR, IN TERMS OF SETTING THE DATES,
21 WHAT MAY BE OF ASSISTANCE IS IT'S MY UNDERSTANDING THAT THE
22 FOURTH DISTRICT COURT OF APPEALS HAS 30 DAYS WITH WHICH TO
23 RENDER THEIR OPINION FOLLOWING THE ORAL ARGUMENT ON THIS
24 HABEAS WRIT.

25 **THE COURT:** THAT WAS THE DATE OF THAT ORAL?

26 **MR. OWENS:** THAT WAS FEBRUARY 13TH.

27 **THE COURT:** HOW ABOUT MARCH 16TH, 9:30?

28 **MR. BOYCE:** YOUR HONOR, I HAVE A -- AT LEAST A TRIAL

1 CALL DOWNTOWN. I'M NOT SURE IF IT'S GOING TO GO OUT THAT
2 DAY, BUT --

3 **THE COURT:** OKAY. HOW ABOUT MARCH THE 23RD?

4 **MR. OWENS:** WE'LL BE HERE FOR THE READINESS ON THIS
5 MATTER ANYWAY, YOUR HONOR. SO PERHAPS WE CAN HEAR --

6 **THE COURT:** THAT IS THE READINESS THAT WE SET, ISN'T
7 IT? SO HOW ABOUT DOING IT ON THE 23RD?

8 **MR. BOYCE:** THAT'S FINE, YOUR HONOR.

9 **THE COURT:** OKAY. VERY GOOD. THANK YOU.

10 **MR. OWENS:** THANK YOU, YOUR HONOR.

11 / / /

12 (END OF PROCEEDINGS.)

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1 STATE OF CALIFORNIA)
2) SS:
3 COUNTY OF SAN DIEGO)

4 I, JANET F. GIANNANTONIO, CSR NO. 12717, OFFICIAL
5 COURT REPORTER FOR THE SUPERIOR COURT OF THE STATE OF
6 CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, DO HEREBY
7 CERTIFY:

8 THAT AS SUCH REPORTER, I REPORTED IN MACHINE
9 SHORTHAND THE PROCEEDINGS HELD IN THE FOREGOING CASE;

10 THAT MY NOTES WERE TRANSCRIBED INTO TYPEWRITING
11 UNDER MY DIRECTION AND THE PROCEEDINGS HELD ON FEBRUARY 23,
12 2018, CONTAINED WITHIN PAGES NUMBERED 1 THROUGH 12,
13 INCLUSIVE, ARE A TRUE AND CORRECT TRANSCRIPT OF THE SAID
14 PROCEEDINGS.

15 DATED THIS 7TH DAY OF MARCH, 2018.



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18 _____
19 JANET F. GIANNANTONIO, CSR 12717
20 SAN DIEGO COUNTY
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STATE OF CALIFORNIA
Supreme Court of California**PROOF OF SERVICE**STATE OF CALIFORNIA
Supreme Court of CaliforniaCase Name: **People v. Christopher Lee White**Case Number: **TEMP-S0G1GWQW**

Lower Court Case Number:

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **ls@boyce-schaefer.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
PETITION FOR REVIEW	Petition for Review
EXHIBITS	Exhibits to Petition for Review
REQUEST FOR JUDICIAL NOTICE	Request for Judicial Notice

Service Recipients:

Person Served	Email Address	Type	Date / Time
Laura Schaefer Boyce & Schaefer 138801	ls@boyce-schaefer.com	e-Service	4/10/2018 2:49:49 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

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

--

Date

/s/Laura Schaefer

Signature

Schaefer, Laura (138801)

Last Name, First Name (PNum)

Boyce & Schaefer

Law Firm