

January 2024

To Whom It May Concern:

It pains us Democrats, that we are again entering another tumultuous, and negative election. It is concerning that, as persons of leadership, you did not do your research vetting out **Cesar Fernandez** before endorsing him.

We have not yet resolved our current issues with the Cardenas' indictments and here we go once again with the endorsement of Cesar Fernandez. This has nothing to do with Restorative Justice. Cesar has a Felony record going back to 1992, which he expunged in 1999 to obtain his teaching credential in 2000. He didn't learn. He was again **arrested** in August 2013.

Here are the FACTS:

- **1992 case #SF67627:** Cesar was charged with HS11359; Possession of Marijuana for Sale. Rumor is that Cesar was caught selling CANNABIS /MARIJUANA to minors.
- **August 2013 case #M173101:** Cesar was arrested driving against traffic with an Alcohol Blood Level of **.18** AND a **drug**. It is **illegal** to drive with a blood alcohol level of **.08** or more. Cesar's **BAC was more than double** of the legal amount. Court mandated that he attend 3 months of MADD classes (Mothers Against Drunk Drivers) and placed him on 5 years **probation**. On probation thru 2018- 5years ago.
- **May 2023:** Cesar's colleagues reported that they saw him drinking while on the job. A complaint was submitted to SUHSD, his place of employment. Cesar supervises after school programs as a "teacher on special assignment".
- **December 13, 2023,** a parent exposed this information to the public during the Chula Vista Elementary School District board meeting. Parent was very concerned that Cesar is making decisions on behalf of the children and/or parents with compromised judgement. Parent is threatening to pull her kids out of the school district.

It would appear Cesar **has not** overcome his problems. The community will find out and has a right to know who their candidate is. You don't think the media **is going to expose this?**

Why are we doing this to ourselves? Are we so blinded that we can't see that Cesar is not a good representation of the City of Chula Vista? We need people who are honest and transparent. We are very disappointed with your decision to ignore our concerns.

I am sharing, in this manner for fear of the bullying that is so common now within our own Democratic Party and Clubs. Have we not learned from 2022? Losing multiple elections due to infighting; look no further than the Mayoral races in Chula Vista and National City elections.

Please see the attached documentation on the M173101 case.

Very Concerned member

CC:

Sweetwater Union High School District Trustees & Superintendent
Southwestern College Governing Board District & Superintendent
Chula Vista Elementary School District Trustees & Superintendent
Other interested & Elected Officials

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL DIVISION

2017 SEP 10 PM 3:25
SAN DIEGO, CA

COPY

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,
v.
CESAR THOMAS FERNANDEZ,
dob 06/22/73, Booking No. 13754314A;
Defendant

CT No. M173101

COMPLAINT-MISDEMEANOR

PC296 DNA TEST STATUS SUMMARY

Defendant	DNA Testing Requirements
FERNANDEZ, CESAR THOMAS	Manual review of DNA status is required

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	VC23152(a) FERNANDEZ, CESAR THOMAS	Misdemeanor	96 Hrs-6 Mos		
2	VC23152(b) FERNANDEZ, CESAR THOMAS	Misdemeanor	96 Hrs-6 Mos		
3	VC21657 FERNANDEZ, CESAR THOMAS	Infraction	Fine		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

The undersigned, certifying upon information and belief, complains that in the City of San Diego, State of California, the Defendant(s) did commit the following crime(s):

CHARGES

COUNT 1 - DRIVING UNDER INFLUENCE OF ALCOHOL/DRUGS

On or about August 3, 2013, CESAR THOMAS FERNANDEZ did unlawfully, while under the influence of an alcoholic beverage and a drug and under their combined influence, drive a vehicle, in violation of VEHICLE CODE SECTION 23152(a).

COUNT 2 - DRIVING WHILE HAVING A MEASURABLE BLOOD ALCOHOL

On or about August 3, 2013, CESAR THOMAS FERNANDEZ did unlawfully, while having 0.08 percent and more, by weight, of alcohol in his/her blood, drive a vehicle, in violation of VEHICLE CODE SECTION 23152(b).

COUNT 3 - DRIVING AGAINST TRAFFIC

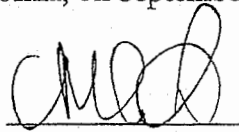
On or about August 3, 2013, CESAR THOMAS FERNANDEZ did unlawfully drive a motor vehicle the wrong way upon a roadway designated for all vehicular traffic to proceed in one direction, in violation of VEHICLE CODE SECTION 21657.

NOTICE: Any defendant named on this complaint who is on criminal probation for a misdemeanor offense within the City of San Diego or the City of Poway is, by receiving this complaint, on notice that the evidence presented to the court at the trial on this complaint is presented for a dual purpose: the People are seeking a conviction on the charges and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the trial. Defenses to either or both procedures should be considered and presented as appropriate at the trial.

Pursuant to PENAL CODE SECTION 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3.

DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER M173101, CONSISTS OF 3 COUNTS.

Executed at City of San Diego, County of San Diego, State of California, on September 9, 2013.



COMPLAINANT

DEFENDANT'S NAME:

Cesar Fernandez

CASE NUMBER

EM173101

SUPERIOR COURT OF SAN DIEGO COUNTY DUI ADDENDUM

INSTRUCTIONS: Use this addendum if you are pleading guilty/no contest to VC § 23153a/b, VC § 23152a/b, VC § 23103.5

I understand the possible punishment and consequences of my conviction of the offense to be:

NOTE: ALL FINES SHOWN BELOW WILL BE SIGNIFICANTLY INCREASED BY MANDATORY PENALTY ASSESSMENTS. Deputy

Clerk of the Court
SEP 17 2015
BY M. QUENGA, Deputy

SENTENCE FOR DUI CONVICTION WITHIN 10 YEARS OF PRIOR (VC 23550.5)

PRIOR OFFENSE	SENTENCE
A prior violation of VC § 23152 that was punished as a felony under VC § 23550 or § 23550.5, or both; or A prior violation of VC § 23153 that was punished as a felony; or A prior violation of PC § 192(c)(1) that was punished as a felony. Any prior violation of PC §§ 191.5(a) or 192.5(a), or a felony violation of PC § 191.5(b) (10 year limit not applicable).	Up to 3 years state prison or not more than one year county jail and \$390 to \$1,000 fine. The DMV will issue a 4-year license revocation. However, if my offense is a violation of VC § 23153 and I have two other DUI-related convictions within 10 years, my license will be revoked for 5 years. If I have violated VC § 23152, I will be designated as a habitual traffic offender for 3 years. I must successfully complete an alcohol/drug program in order to have my driver license reinstated by the DMV, even though I am not ordered to attend such a program by the court.

SENTENCES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS (INJURY) (VC 23153)

OFFENSE	MINIMUM AND MAXIMUM SENTENCES WHEN PROBATION IS GRANTED (3 TO 5 YEARS PROBATION TERM)	MINIMUM AND MAXIMUM SENTENCES WITHOUT PROBATION
First offense within 10 years	5 days to 1 year in county jail, a \$390 to \$1,000 fine, and completion of a 3-month alcohol/drug program (or a 9-month program if my blood-alcohol content was .20 percent or more, or if I refused a chemical test at arrest). The DMV will also impose a 1-year driver license suspension.	16 months or 2 or 3 years in state prison (or 90 days to 1 year in county jail), and a \$390 to \$1,000 fine. The DMV will also impose a 1-year driver license suspension.
Second offense within 10 years (prior conviction of section(s) 23152, 23153, or 23103.5)	Two options: (A) 120 days to 1 year in county jail; \$390 to \$5,000 fine; and DMV will impose a 3-year license revocation; or (B) 30 days to 1 year in county jail; \$390 to \$1,000 fine; an 18-month or 30-month alcohol/drug program; and DMV will impose a 3-year license revocation.	16 months or 2 or 3 years in state prison (or 120 days to 1 year in county jail), and a \$390 to \$5,000 fine. The DMV will also impose a 3-year driver license revocation.
Third or subsequent offense within 10 years (prior convictions of section(s) 23152, 23153, or 23103.5)	30 days to at least 1 year in county jail; \$390 to \$5,000 fine; an 18-month or 30-month alcohol/drug program; restitution or reparation to the victim as required by law. The DMV will also impose a 5-year driver license revocation.	2, 3, or 4 years in state prison; \$1,015 to \$5,000 fine; and the DMV will impose a 5-year license revocation. An additional 3 years in state prison if I already have four DUI convictions and the offense caused great bodily injury to any person other than the driver.

NOTE: If I am convicted of violating VC § 23153 and the offense also caused bodily injury or death to more than one victim, upon a felony conviction, my sentence will be enhanced by 1 year in state prison for each additional victim.

SENTENCES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS (VC 23152)

OFFENSE	MINIMUM AND MAXIMUM SENTENCES WHEN PROBATION IS GRANTED (3 TO 5 YEARS PROBATION TERM)	MINIMUM AND MAXIMUM SENTENCES WITHOUT PROBATION
First offense within 10 years	The court may order me to serve between 48 hours to 6 months in jail. It will impose a fine of \$390 to \$1,000 and order me to complete a 3-month alcohol/drug treatment program (or a 9-month program if my blood-alcohol content was .20 percent or more, or if I refused a chemical test upon my arrest). The DMV will impose a 6-month driver license suspension.	96 hours to 6 months in jail, and a \$390 to \$1,000 fine. The DMV will impose a 6-month driver license suspension.
Second offense within 10 years (prior conviction of section(s) 23152, 23153, or 23103.5)	A jail term of either: (a) 10 days to 1 year, or (b) 96 hours to 1 year, a \$390 to \$1,000 fine, and completion of an 18-month or 30-month alcohol/drug treatment program. The DMV will impose a 2-year driver license suspension.	90 days to 1 year in jail, and a \$390 to \$1,000 fine. The DMV will impose a 2-year license suspension.

section(s) 23152, 23153, or 23103.5)	not completed one before. The DMV will impose a 3-year driver license revocation.	
Fourth or subsequent offense within 10 years (prior convictions of section(s) 23152, 23153, or 23103.5)	180 days to 1 year in jail, a \$390 to \$1,000 fine, and completion of an 18-month alcohol/drug program if I have not completed one before. The DMV will impose a 4-year driver license revocation.	16 months, or 2 or 3 years imprisonment (or 180 days to 1 year in county jail); and a \$390 to \$1,000 fine. The DMV will impose a 4-year driver license revocation.













SENTENCE FOR RECKLESS DRIVING (ALCOHOL AND/OR DRUGS) (VC 23103, 23103.5)		
OFFENSE	MINIMUM AND MAXIMUM SENTENCES	OTHER
Reckless driving reduced from driving under the influence	If probation is not granted, 5 days to 90 days in jail, or \$145 to \$1,000 fine, or both. A drug/alcohol program is required if probation is granted.	Because alcohol or drugs are involved, this conviction will act as a separate conviction for driving under the influence (DUI) if I commit a subsequent DUI offense within 10 years.



I understand:

1. Being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle, and it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of my driving, someone is killed, I can be charged with murder (VC § 23593).
2. I may be fined up to \$50 for an alcohol and abuse education and prevention penalty assessment upon a conviction of VC § 23152 or VC § 23153.
3. I may be required to report to the Substance Abuse Assessment Unit for evaluation, pay all required fees, and complete any programs assigned by the assessors (VC § 23646).
4. I may be required to pay expenses incurred by a public agency which responded to any incident caused by my vehicle at the time of arrest (GC § 53150).
5. This violation will count as 2 points on my driving record (VC § 12810(b)).
6. The Department of Motor Vehicles (DMV) may consider any of my other convictions for driving under the influence or reckless driving, even those that are not charged in this proceeding, and impose a more severe license restriction, suspension, or revocation as a result of such other conviction(s).
7. (If applicable) If my blood-alcohol level was .20 percent or above or I refused to take a chemical test, the court shall consider this in determining whether to enhance the penalties, grant probation, or impose additional terms of probation. (VC § 23578)
8. If I am the registered owner of the vehicle used in the offense:
 - A. Upon my first conviction, the court may impound my vehicle at my expense for up to 30 days;
 - B. Upon my second conviction, the court shall impound my vehicle at my expense for up to 30 days, unless it is determined that it is in the interest of justice not to do so;
 - C. Upon my third conviction, the court shall impound my vehicle at my expense for up to 90 days, unless it is determined that it is in the interest of justice not to do so;
 - D. The court may declare my vehicle to be a nuisance and order it sold following a hearing if I have two or more other convictions for driving under the influence, vehicular manslaughter (PC § 191.5 or 192(c)(3)), or any combination thereof, in the past seven years. My vehicle will also be subject to forfeiture as a nuisance if I am convicted of a second or subsequent violation of driving with a suspended or revoked license (VC § 14601 et seq.) or driving without a license (VC § 12500(a)).
9. The DMV may restrict, suspend, or revoke my license under a procedure which is separate from this criminal action. The DMV's action, if any, will be in addition to the court's sentence and I must obey it.


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- 8A
- 8B
- 8C
- 8D
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11. The court may independently order my license revoked for 10 years if I have been convicted of three or more separate violations of VC §§ 23152 or 23153.  11
12. The DMV will not issue a restricted driver license or restore my driving privilege following a restriction, suspension, or revocation unless I have proof of insurance for 3 years. The DMV will suspend my driver license: (1) until proof of insurance is provided to the DMV and (2) upon my failure to maintain such proof during the 3-year period.  12
13. I understand if the court determines that I would present a traffic safety or public safety risk if I am authorized to drive during the license suspension period, I will be unable to obtain a restricted driver license from the DMV, which would allow me to drive to and from work, and to and from the alcohol/drug treatment program.  13
14. The DMV will prevent me from operating a commercial vehicle for one year upon a first DUI conviction in any vehicle, or if I willfully refuse to submit to or complete a chemical test to determine blood-alcohol content. A second or subsequent DUI conviction in any vehicle or subsequent refusal will result in the DMV issuing a lifetime ban on my right to drive a commercial vehicle.  14
15. If I was under the age of 21 at the time of my arrest, my driver license will be suspended for 1 year, and I must surrender my license to the court. If I do not have a valid driver license, the court will order the DMV to delay issuing a license to me for 1 year after I become eligible to drive (VC § 13202.5).  15
16. I must successfully complete an alcohol/drug program in order to have my driving privilege reinstated following any license restriction, suspension, or revocation which is imposed on me, even if I am not ordered to attend such a program by the court.  16
17. If I am convicted of a first offense of 23152 or 23153, the court may order:
- A. Prohibition from operating any vehicle that I own or operate unless it is equipped with a certified ignition interlock device for one to three years. Installation of this device, which prevents the vehicle from starting if I have alcohol in my body, does not authorize me to drive without a valid license;  17A
- B. That I prove I installed the device within 30 days of my conviction or my release from jail or prison, or the DMV shall revoke my license for an additional year. Also, the court shall suspend my license and issue an arrest warrant if I fail to comply with any notice to (1) install the device, (2) report on the operation of the device, or (3) maintain or calibrate the device on three or more occasions.  17B
18. (If applicable) If I am convicted of a third or subsequent violation of 23152 or 23153:
- A. I must surrender my license to the court. I will also be designated as a habitual traffic offender for three years after my conviction, and I will receive an enhanced sentence if I drive in violation of my license revocation;  18A
- B. For 23152 only: If probation is granted, I may request to participate in a 30-month treatment program. This program includes between 120 and 300 hours of community service. If the court grants my request, I will be sentenced to the county jail for at least 30 days but not more than one year as a condition of probation instead of the jail term specified in the chart above.  18B

19. (If applicable) **Willful Refusal (VC § 23577):**


NOTE: Test refusals require a minimum 6-month drug/alcohol program (HS § 11837(c)(2)).

1 st Offense 23152	Additional 48 hours to 6 months jail if probation is granted.
2 nd Offense 23152	Additional 96 hours jail with or without probation.
3 rd Offense 23152	Additional 10 days jail with or without probation.
4 th or subsequent Offense 23152	Additional 18 days jail with or without probation.
1 st Offense 23153	Additional 48 continuous hours jail with or without probation.

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
20. (If applicable) **Passenger Under 14 Years (VC § 23572)**

1 st Offense 23152	Additional 48 continuous hours jail with or without probation.
2 nd Offense 23152	Additional 10 days jail with or without probation.
3 rd Offense 23152	Additional 30 days jail with or without probation.
4 th Offense 23152	Additional 90 days jail with or without probation.

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21. (If applicable) **Excessive Speed (VC § 23582)**

1 st Offense 23152 or 23153	Alcohol/drug program and additional consecutive 60 days jail with or without probation.
2 nd Offense or subsequent 23152 or 23153	Additional consecutive 60 days jail with or without probation.

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DEFENDANT'S NAME:

LEGAR Fernandez

CASE NUMBER

M173101

22. SENTENCES FOR DRIVING IN VIOLATION OF A LICENSE SUSPENSION, REVOCATION, OR RESTRICTION

Vehicle Code Section	First Offense	Second or Subsequent Offense:
14601	5 days to 6 months in jail, and a fine of \$300 to \$1,000.	Prior conviction(s) in past 5 years of sections 14601, 14601.1, 14601.2, or 14601.5. 10 days to 1 year in jail, and a fine of \$500 to \$2,000. 10 days in jail required if probation is imposed.
14601.1	Up to 6 months in jail, or a fine of \$300 to \$1,000, or both.	5 days to 1 year in jail, and a fine of \$500 to \$2,000.
14601.2	10 days to 6 months in jail, and a fine of \$300 to \$1,000. 10 days in jail required if probation is imposed.	30 days to 1 year in jail, and a fine of \$500 to \$2,000. 30 days in jail required if probation is imposed.
	If I have been designated as an habitual traffic offender within 3 years of this conviction, I will, in addition, be sentenced to serve 180 days in jail and to pay a \$2,000 fine.	
14601.5	Up to 6 months in jail, or a fine of \$300 to \$1,000, or both.	10 days to 1 year in jail, and a fine of \$500 to \$2,000. Note-section 14601.3 also constitutes a prior conviction for this offense.



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23.

Vehicle Code Section	First Offense	Second or Subsequent Offense:
14601.3	30 days in jail, and a fine of \$1,000.	Prior conviction(s) in past 7 years of section 14601.3. 180 days in jail, and a fine of \$2,000.



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24. ADDITIONAL PENALTIES FOR A VIOLATION OF SECTIONS 14601, 14601.1, 14601.2 or 14601.5

If applicable - I understand that I will be required to install an ignition interlock device (IID) on any vehicle that I own or operate if (1) I am convicted of VC § 14601.2; (2) the original charge was for a violation of VC § 14601.2 but I am pleading guilty to the lesser offense of VC §§ 14601, 14601.1, 14601.4 or 14601.5; or (3) I am convicted of VC §§ 14601.4 or 14601.5 and have qualifying prior convictions within the last 10 years. Installation of the IID will be imposed for up to three years. Installation of this device, which prevents the vehicle from starting if I have alcohol in my body, does not authorize me to drive without a valid driver license. Failure to install the IID may result in the suspension of my driver license or may constitute a separate misdemeanor offense.

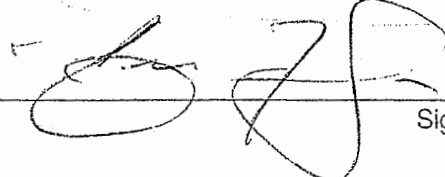


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I have read, reviewed, and understand the above-initialed information.

My blood alcohol reading was .18.

Date: 9/17/13


Signature of Defendant

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Clerk of the Superior Court
 FOR COURT USE ONLY
 SEP 17 2013
 By: M. QUENGA, Deputy
 Case # m173101
 DA/CA #

PEOPLE vs.

LESAV FERNANDEZ

Defendant

PLEA OF GUILTY/NO CONTEST - MISDEMEANOR

INSTRUCTIONS: Fill out this form if you wish to plead guilty or no contest to the charges against you. Initial each applicable item only if you understand it. If you have any questions about your case, the possible sentence, or the information on this form, ask your lawyer or the judge.

I, the defendant in the above-entitled case, personally and/or by my attorney, declare as follows:

1. Of those charges now filed against me in this case, I plead

GUILTY/NO CONTEST

to the following offenses and admit the enhancements, allegations, and prior convictions as follows:

COUNT	CHARGE	ENHANCEMENT/ALLEGATION
<u>2</u>	<u>VC 23152(b)</u>	

PRIORS: (LIST ALLEGATION SECTION, CONVICTION DATE, CASE NUMBER AND CHARGE)

N/A

2. I have not been induced to enter the above plea by any promise or representation of any kind, except: (State any agreement with the prosecutor.)

Distm Prd. standard sentence. 90 day PSP (5d)
pending successful completion of probation

3. I am entering a plea freely and voluntarily, without threat or fear to me or anyone closely related to me.

4. I understand that a plea of No Contest is the same as a plea of Guilty for all purposes.

5. I am sober and my judgment is not impaired. I have not consumed any drug, alcohol or narcotic within the past 24 hours.

RIGHT TO A LAWYER

6. I understand that I have the Constitutional right to be represented by a lawyer at all stages of the proceedings including sentencing. I can hire my own lawyer or the Court will appoint a lawyer for me if I cannot afford one. I understand the dangers and disadvantages of representing myself and that it is usually unwise to represent myself.

6a. I understand that I have the right to be present in Court to enter my plea and for sentencing. I expressly authorize my lawyer to enter this plea on my behalf, in my absence. I expressly authorize my lawyer to appear for me at sentencing.

6b. I give up the right to an attorney and wish to represent myself.

CONSTITUTIONAL RIGHTS

I understand that as to all charges, allegations and prior convictions filed against me I also have the following constitutional rights, which I now give up to enter my plea of guilty/no contest:

7. I have the right to a speedy and public trial by jury. I now give up this right.

8. I have the right to confront and cross-examine all the witnesses against me. I now give up this right.

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6a.

6b.

7.

8.

Defendant

cesar fernandez

Case Number

M17B107

- 9. I have the right to remain silent (unless I choose to testify on my own behalf). I now give up this right. 9.
- 10. I have the right to present evidence in my behalf and to have the court subpoena my witnesses at no cost to me. I now give up this right. 10.

CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST

- 11. I understand the possible consequences of entering a plea of Guilty/No Contest include a maximum sentence of up to 2 (months/year(s)) in jail and fine(s) of up to \$1K plus additional consequences specified in any attached addendum, and any other reasonable conditions of probation, which could be for a maximum of 3 years. 11.
- 12. My attorney has explained to me that other possible consequences of this plea may be (circle appropriate consequences): (1) lifetime registration as a sex offender; (2) limited local custody credits (290/serious/prior); (3) qualified for sentencing under PC § 1170(h)(3) in future cases. 12.
- 13. I understand that in addition to any fine imposed, the law requires the Court to add penalty assessments which will substantially increase the amount I must pay. In addition, I understand that I may be ordered to make restitution to the victim, if the offense involved a victim, or to a restitution fund. I understand that I shall be ordered to pay a mandatory restitution fine (\$100 - \$1,000). 13.
- 14. I understand that I may not be sentenced earlier than six (6) hours, nor later than five (5) days after my plea. I give up this right and agree to be sentenced at this time. 14.
- 15. I understand that if I am not a U.S. citizen, this plea of Guilty/No Contest may result in my removal/ deportation, exclusion from admission to the U.S. and denial of naturalization. Additionally, if this plea is to any offense listed on the back of this form, then I will be deported, excluded from admission to the U.S., and denied naturalization. 15.
- 16. I understand that my plea of Guilty or No Contest in this case could result in revocation of my probation or parole in other cases and consecutive sentences. 16.

OTHER WAIVERS

- 17. (Appeal rights) I give up my right to appeal the following: 1) denial of my 1538.5 motion, 2) issues related to strikes priors (under PC sections 667(b)-(i) and 1170.2), and 3) any sentence stipulated herein. 17.
- 18. (Harvey Waiver) The sentencing judge may consider my prior criminal history and the entire factual background of the case, including any unfilled, dismissed, or stricken charges or allegations or cases when granting probation, ordering restitution, or imposing sentence. 18.
- 19. (Arbuckle Waiver) I give up my right to be sentenced by the judge who accepts this plea. 19.

PLEAS

- 20. I now plead Guilty/No Contest and admit the charges, convictions, and violations of probation described in paragraph #1, above, because I am guilty. I admit that on the dates charged, I (Describe facts as to each charge and allegation) drove with a BAC of .08 or more

I further agree that a duly appointed Commissioner, Referee, or Temporary Judge may act as a Judge, accept this plea, impose sentence, and conduct any other post-conviction proceedings. 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 any attached addendum, and everything on the form and any attached addendum is true and correct.

Dated: 9/17/13 Defendant's Signature: [Signature]

Defendant's Address: 518 OTIS ST CHULA VISTA CA 91910

Street City State Zip

Defendant's Telephone No: (619) 621-9285

Defendant <u>Cesar Fernandez</u>	Case Number <u>M173107</u>
----------------------------------	----------------------------

ATTORNEY'S STATEMENT

I, the attorney for the defendant in the above-entitled case, personally read and explained to the defendant the entire contents of this plea form and any addendum thereto. I discussed all charges and possible defenses with the defendant, and the consequences of this plea, including any immigration consequences. I personally observed the defendant fill in and initial each item, or read and initial each item to acknowledge his/her understanding and waivers. I observed the defendant date and sign this form and any addendum. I concur in the defendant's plea and waiver of constitutional rights.

Dated: 9/17/13 _____
(Print Name) Angela Shimizu Attorney for Defendant _____
(Signature)
 (Circle one: PD / APD / OAC / RETAINED)

INTERPRETER'S STATEMENT (if Applicable)

I, the interpreter in this proceeding, having been duly sworn, truly translated this form, and any attached addendum, and all the questions therein to the defendant in the _____ language. The defendant indicated understanding of the contents of the form and then initialed and signed the form and any attached addendum.

Dated: _____
(Print Name) _____ Court Interpreter _____
(Signature)

PROSECUTOR'S STATEMENT

The People of the State of California, plaintiff in the above-entitled criminal case, by and through its attorney concurs with the defendant's plea of Guilty/No Contest as set forth above.

Dated: 9-17-13 _____
(Print Name) P. Rabin _____
Deputy District Attorney/Deputy City Attorney (Signature)

COURT'S FINDING AND ORDER

The Court, having questioned the defendant/defendant's attorney concerning the defendant's plea of Guilty/No Contest and admissions of the prior convictions and allegations, if any, finds that: The defendant understands and voluntarily and intelligently waives his/her constitutional rights; the defendant's plea and admissions are freely and voluntarily made; the defendant understands the nature of the charges and the consequences of the plea and admissions; and there is a factual basis for same. The Court accepts the defendant's plea and admissions, and the defendant is convicted thereby.

Dated: SEP 17 2013 _____
(Signature) _____
Judge/Commissioner/Referee of the Superior Court
WILLIAM C. GENTRY, JR.

OFFICIAL RECORDS REQUESTDATE: October 25, 2013
DPP file# 1-135990179County of San Diego Superior Court
Attn: Records Management
8950 Clairemont Mesa Blvd
San Diego, CA 92123

Attention: Criminal Court Clerk

Pursuant to the provisions of Education Code section 44341¹, regarding the individual referenced below, please provide an un-certified copy of the:

- M173101
- Complaint*
- Court docket: including plea, sentencing, terms and conditions of probation.*
- Court update from filing date and beyond.*

NAME : FERNANDEZ, Cesar Thomas
 DATE OF BIRTH : 06/22/1973
 SOCIAL SECURITY NO. : XXX-XX-1422
 ARRESTING AGENCY : San Diego PD
 ARREST DATE, REPORT NO. : 08/03/2013, #13080003637
 COURT DOCKET NO. :
 CHARGE : VC 23152(A)

NOTE: For identification purposes please return this form with the requested documents or include DPP File # 1-135990179 on your cover letter.

If you have any questions, please contact me at epenrose@ctc.ca.gov.

Very truly yours,

Erin M. Penrose

Erin Penrose
Division of Professional Practices

¹ Education Code Section 44341

"(a)(1) For the sole purpose of ascertaining the moral character and true identity of the holder of a credential or an applicant for a credential or the renewal of a credential after jurisdiction to commence an initial review pursuant to subdivision (b) of Section 44242.5 has been established, the commission is authorized to require production of information, records, reports, and other data from any public agency. For the purposes of determining whether jurisdiction exists, the commission is also authorized to require the limited production of records as set forth in subdivision (f) of Section 44242.5. (2) This information shall be provided to the commission within 30 days of the request. (3) The commission shall maintain the confidentiality of this information in accordance with Chapter 1 (commencing with Section 1798) of Title 1.8 of the Civil Code. (b) Except for the situation prescribed in subdivision (d), every applicant for a credential or for the renewal of a credential shall be deemed to have given his or her consent for the securing of, and disclosure of, information to the commission for the sole purpose of ascertaining the moral character and true identity of the holder of a credential, the applicant for a credential, or a credential holder applying for the renewal of the credential...."

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
Substance Abuse Assessment Unit - Addendum to Minutes

Central Division, 220 W. Broadway, San Diego, CA 92101
 East County Division, 250 E. Main, El Cajon, CA 92020

North County Division, 325 S. Melrose Dr., Suite 500, Vista, CA 92081
 South County Division, 500 3rd Ave., Chula Vista, CA 91910

PEO. VS. FERNANDEZ, CESAR CASE # M173101

DATE 9/17/13 CHARGE(S) VC23152(b) VACATE CONFIRM

Defendant failed to appear/comply: ASSESSMENT
 Commit warrant ordered, no bail, for _____ days. Schedule the defendant for court.
 Bench warrant ordered, bail set at \$ _____ rescinded recalled by _____ cleared by arrest on _____ by _____
 Held to date set below. Mandatory Appearance Required. Night Service Authorized. Warrant issued on _____ by _____

PROBATION IS REVOKED REINSTATED TERMINATED CONTINUED MODIFIED as indicated below
 EXTENDED TO: _____ SAME TERMS & CONDITIONS

DEFENDANT, HAVING BEEN REFERRED TO THE SUBSTANCE ABUSE ASSESSMENT UNIT (SAAU), IS HEREBY ORDERED TO FOLLOW THE CONDITIONS LISTED BELOW, AS RECOMMENDED BY THE SUBSTANCE ABUSE ASSESSOR:

PROGRAMS Re-referral/Extension ATTEND AND COMPLETE THE FOLLOWING COURT ORDERED PROGRAMS:
 First Conviction Program (FCP) for 3 months 12 Hour ED Multiple Conviction Program (MCP) STAR
 Enroll by 10/8/13 MADD Impact Panel
 Inpatient/Outpatient/Detoxification treatment at: _____
 Self-help meetings _____ each day / week / month for _____. Total meetings: _____ Show/mail proof to court by: _____
 Anger Management Program Individual Counseling Sex Offender Counseling Parenting Classes Child Abuse Classes
 Domestic Violence Program at: _____
 Out of county/state provider authorized: _____

SUBMIT TO DRUG TESTING: hair follicle random urinalysis Other: SEP 19 2013
 Proof of HS11590 PC290 REGISTRATION to the court by: _____
 PC1202.1 HIV TESTING results to the court by: _____ PC1001.10 HIV EDUCATION completion to the court by: _____

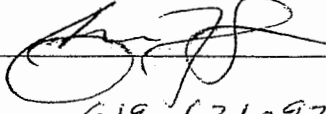
PUBLIC SERVICE Re-referral granted. Defendant must complete _____ days of Public Service Program.
 Report/Enroll by: _____ You must call (858) 560-3258 within 72 hours. Out of county authorized.
 Defendant must complete _____ hours of Volunteer Work. Proof of completion is due to the court by: _____


OTHER _____

Proof of _____
 shown. filed. condition satisfied.

THE DEFENDANT IS ORDERED TO APPEAR IN COURT on _____ at _____ in Dept. _____ for: _____
 Report to the SAAU OFFICE for monitoring on _____ at _____ for _____
 Proof of enrollment due by _____ completion due by _____ due to the court by MAIL
For: FCP MCP Domestic Violence Anger Management Drug Treatment Program Self-help meetings Volunteer Work
 Other: _____ MADD completion due by 12/20/13

Name: CESAR FERNANDEZ
Address: 518 OTIS ST
City: CHULA VISTA State: CA Zip: 91910

Defendant's Signature: 
Defendant's Phone Number: 619-621-9285

By Order of the Presiding Judge/Assessor/Clerk Signature: 
Distribution by: EH on 9/17/13 to: DEFT ATTY FCP/MCP PROBATION PSP _____

COUNTY OF SAN DIEGO DRIVING UNDER THE INFLUENCE PROGRAM - REFERRAL FORM

DEFENDANT'S NAME: (Please Print)

Court/Judge: SDCC

Case Docket No: M173101

Offense: VIC2315231

Date of Arrest: 8/3/13

Date of Sentence: 9/17/13

Blood Alcohol Level: .18

FERNANDEZ COGAN
(Last Name) (First Name)

Reassign (Enroll in Program)
Court Date: _____

Reinstate (Complete Program)
Court Date: _____

THE COURT HAS ORDERED YOU TO THE FOLLOWING PROGRAM:

- EDUCATION ONLY-12 Hours
- FIRST CONVICTION PROGRAM ✓ 3 Month _____ 6 Month _____ 9 Month _____ 12 Month
- MULTIPLE CONVICTION PROGRAM (SB 38)
- SURVIVAL TO ADULTHOOD REFERRAL/STAR (Occupational Health Services Only)

YOU MUST IMMEDIATELY CONTACT THE PROVIDER CHECKED BELOW:

East County ACCORD
7474 El Cajon Boulevard
La Mesa, CA 91941
PHONE: (619) 741-8147

MAAC Project DUIP
1355 Third Avenue
Chula Vista, CA 91911
PHONE: (619) 409-1780

Occupational Health Services
1050 Los Vallecitos Boulevard #109
San Marcos, CA 92069
PHONE: (760) 752-5300

Central District DUIP
9245 Sky Park Court #101
San Diego, CA 92123
PHONE: (858) 467-6810

FAILURE TO CONTACT THE PROVIDER BY 10/8/13 WILL RESULT IN A REFERRAL BACK TO COURT, REVOCATION OF YOUR PROBATION AND ISSUANCE OF A BENCH WARRANT FOR YOUR ARREST. ENROLLMENT IS BY APPOINTMENT ONLY.

KEEP THIS FORM - YOU MUST PRESENT IT WHEN YOU ENROLL.

Defendant's Signature [Signature]
518 OTIS STREET
Defendant's Address
CHULA VISTA CA 91910
City State Zip

06/22/73
Date of Birth
619-621-9285
Telephone
Driver's License Number _____

FOR OFFICIAL USE ONLY

The individual named above is referred back to the Court for FAILURE TO ENROLL by _____ as required by the Court.

For further information contact: _____

Phone _____

Date _____



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

- CENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101
- CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101
- CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123
- EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020
- EAST COUNTY DIVISION, RAMONA, 1428 MONTECITO RD., RAMONA, CA 92065
- NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081
- SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

COURT COLLECTION UNIT ADDENDUM TO MINUTES

PEOPLE VS. FERNANDEZ, ESTRELLA CASE NO. M17 3101
 DATE 9-17-13 CHARGE(S) VC 23152 (B)

You have been ordered to pay a fine/fees/assessment/costs, and have been referred to the Court Collection Unit regarding payment. You must comply with the terms indicated below.

This addendum only addresses the court-ordered fine/fees/assessment/costs, and does not modify or negate any other terms or conditions imposed by the court.

Defendant has been ordered by the court to pay a fine, including fees and assessments of \$ 2108.

Defendant to pay fine:

- \$ _____ forthwith.
- \$ 2108 including accounts receivable fee, due by 210
- \$ 2108 including installment fee, payable at the rate of \$ 210 per month on the 25th of each month commencing 10-25-13 until paid in full.

Public Service Program \$ _____ converted to _____ days Public Service Program.

ENROLL / REPORT BY _____ at _____ Enroll within 60 days.

Volunteer Work \$ _____ converted to _____ hours of volunteer work to be done at any non-profit agency.

Proof of completion is due to the court on _____ at _____ a.m./p.m. Dept. _____.

_____ of _____ days/hours of Public Service Program/Volunteer Work completed. Balance of _____ days/hours converted back to fine \$ _____. See above for payment due dates.

Other: _____

MAKE CHECKS PAYABLE TO CLERK OF SUPERIOR COURT AND SEND PAYMENTS TO THE ADDRESS CHECKED ABOVE--OR-- PAY ONLINE OR BY PHONE WITH THE COURT'S ONLINE PAYMENT SYSTEM AT WWW.SDCOURT.CA.GOV OR (619) 906-5888.

IMPORTANT: Failure to comply and/or pay the court-ordered fine may result in a civil penalty of up to \$300 being imposed, and/or a warrant for your arrest. Additionally, license holds, suspensions, and new misdemeanor charges may be ordered.

I HAVE RECEIVED A COPY AND UNDERSTAND the above conditions.

 Defendant's Signature 619-621-9285
Telephone Number

518 OTIS ST. CHULA VISTA CA 91910
 Defendant's Address City State Zip

Prepared and executed by: _____
 Court Collection Officer/Court Operations Clerk

Distribution: Orig. to file. cc: Defendant Probation Dept. Other _____

NOTE: This is an Appearance Bond and cannot be construed as a guarantee for failure to provide payments, back alimony payments, FINES or Wage Law Claims, nor can it be used as a Bond on Appeal



HCC

American Contractors Indemnity Company
A member of HCC Surety Group
601 S. Figueroa Street, Suite 1600, Los Angeles, California 90017-5721
main 310 649 2663

"EMPIRE" BAIL BONDS INC.
7745 EL CAJON SUITE ONE
LA MESA, CA 91942
619 239-5300
AGENCY BAIL LIC. #1841307

COPY

BAIL BOND No. A7-2273453
(POWER OF ATTORNEY WITH THIS NUMBER MUST BE ATTACHED.)

IN THE SUPERIOR COURT OF THE SAN DIEGO JUDICIAL DISTRICT
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA
THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff, Case No. _____

vs.

CESAR THOMAS FERNANDEZ Defendant. Div. No. MA

Defendant CESAR THOMAS FERNANDEZ Booking No. 13734314
(Name of Defendant)

having been admitted to bail in the sum of TWO THOUSAND FIVE HUNDRED
Dollars (\$2,500.00) and ordered to appear in the above-entitled court

on 09-17 08:30 AM 2013, on 23153 CA VC charge/s:
(Date of Appearance) (State "misdemeanor" or "felony")

Now the AMERICAN CONTRACTORS INDEMNITY COMPANY, a California corporation, hereby undertakes that the above-named defendant will appear in the above-named court on the date above set forth to answer any charge in any accusatory pleading based upon the acts supporting the complaint filed against him/her and all duly authorized amendments thereof, in whatever court it may be prosecuted, and will at all times hold him/herself amenable to the orders and process of the court, and, if convicted, will appear for pronouncement of judgment or grant of probation; or, if he/she fails to perform either of these conditions, that the AMERICAN CONTRACTORS INDEMNITY COMPANY, a California corporation, will pay to the people of the State of California, the sum of

TWO THOUSAND FIVE HUNDRED Dollars (\$2,500.00).

If the forfeiture of this bond be ordered by the Court, judgment may be summarily made and entered forthwith against the said AMERICAN CONTRACTORS INDEMNITY COMPANY, a California Corporation, for the amount of its undertaking herein, as provided by Sections 1305 and 1306 of the California Penal Code.

THIS BOND IS VOID IF; (1) WRITTEN FOR AN AMOUNT GREATER THAN THE POWER OF ATTORNEY ATTACHED HERETO; (2) MORE THAN ONE SUCH POWER IS ATTACHED; (3) WRITTEN AFTER THE EXPIRATION DATE SPECIFIED ON SUCH POWER; OR (4) MORE THAN ONE BOND IS WRITTEN FOR THE SAME CASE NUMBER.

AMERICAN CONTRACTORS INDEMNITY COMPANY
INCORPORATED
SEPT. 26, 1990

By [Signature]
Attorney-in-Fact

I certify under penalty of perjury that I am a licensed bail Agent of the AMERICAN CONTRACTORS INDEMNITY COMPANY and that I am executing this bond on 09-03-13 (date)
at SAN DIEGO (location)

[Signature]
(signature of licensed agent)

The Premium Charged for this Bond is
\$ 265.00 Per Annum.

Approved this 03 day of August, 2013
DIA RB [Signature]
Title



HCC

American Contractors Indemnity Company
A member of C Surety Group
601 S. Figueroa Street, Suite 1600, Los Angeles, California 90017-5727
main 310 649 2663

"EN" JRE[®] BAIL BONDS INC.
7745 EL CAJON SUITE ONE
LA MESA, CA 91942
619 239-5300
AGENCY BAIL LIC. #1841307

BAIL BOND No. A1-2273453
(POWER OF ATTORNEY WITH THIS NUMBER MUST BE ATTACHED.)

IN THE SUPERIOR COURT OF THE SAN DIEGO JUDICIAL DISTRICT
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA
THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff, Case No. _____
VS. Div. No. MA

Cesar Thomas Fernandez Defendant.

Defendant Cesar Thomas Fernandez Booking No. 13754314

having been admitted to bail in the sum of Two Thousand Five Hundred
Dollars (\$2,500.00) and ordered to appear in the above-entitled court

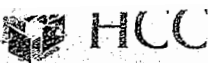
on 09-17 28:30 Am 2013, on 2152 Ave charge/s:
(Date of Appearance) (State "misdemeanor" or "felony")

Now the AMERICAN CONTRACTORS INDEMNITY COMPANY, a California corporation, hereby undertakes that the above-named defendant will appear in the above-named court on the date above set forth to answer any charge in any accusatory pleading based upon the acts supporting the complaint filed against him/her and all duly authorized amendments thereof, in whatever court it may be prosecuted, and will at all times hold him/herself amenable to the orders and process of the court, and, if convicted, will appear for pronouncement of judgment or grant of probation; or, if he/she fails to perform either of these conditions, that the AMERICAN CONTRACTORS INDEMNITY COMPANY, a California corporation, will pay to the people of the State of California, the sum of Two Thousand Five Hundred Dollars (\$2,500.00).

If the forfeiture of this bond be ordered by the Court, judgment may be summarily made and entered forthwith against the said AMERICAN CONTRACTORS INDEMNITY COMPANY, a California Corporation, for the amount of its undertaking herein, as provided by Sections 1305 and 1306 of the California Penal Code.

THIS BOND IS VOID IF: (1) WRITTEN FOR AN AMOUNT GREATER THAN THE POWER OF ATTORNEY ATTACHED HERETO; (2) MORE THAN ONE SUCH POWER IS ATTACHED; (3) WRITTEN AFTER THE EXPIRATION DATE SPECIFIED ON SUCH POWER; OR (4) MORE THAN ONE BOND IS WRITTEN FOR THE SAME CASE NUMBER.

By [Signature]
AMERICAN CONTRACTORS INDEMNITY COMPANY
INCORPORATED
SEPT. 26, 1990



American Contractors Indemnity Company
 A member of HCC Surety Group
 601 S. Figueroa St., Suite 1600, Los Angeles, CA 90017
 08/25/2014

POWER OF ATTORNEY
 A7-2273453

THIS POWER VOID IF NOT USED BY:

POWER NO.

KNOW ALL MEN BY THESE PRESENTS that American Contractors Indemnity Company, a California corporation, by the authority of the resolution duly adopted by the Board of Directors on December 6, 1990, does hereby appoint Scott D. Anschutz its true and lawful Attorney-in-Fact and

EMPIRE BAIL BONDS INC

, its true and lawful Agent, with full authority to execute, seal and deliver for and on its behalf bail bonds. Such authority is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments, penalties or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. This Power void if altered or erased, void if used with other powers of this company or any other surety company power, void if used to furnish bail in excess of the stated amount of this Power, and can only be used once. Return Power only to American Contractors Indemnity Company. Provided that the authority of such Attorney-in-Fact to bind the Company shall not exceed the sum of

SHALL NOT EXCEED THE SUM OF SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00)

and provided this Power of Attorney is filed with the bond and retained as a part of the court records. The said Attorney-in-Fact is hereby authorized to insert in this Power of Attorney the name of the person on whose behalf this bond was given. IT IS UNLAWFUL TO PRINT THIS FORM WITHOUT WRITTEN CONSENT OF AMERICAN CONTRACTORS INDEMNITY COMPANY, HOME OFFICE.

IN WITNESS WHEREOF, American Contractors Indemnity Company has caused its seal to be affixed hereto

and executed by its authorized officer this date 08-03-13, State Executed CALIFORNIA

DEFENDANT FERNANDEZ CESAR THOMAS
LAST NAME FIRST MIDDLE

APPEARANCE DATE 09-17-13 COURT SUPERIOR CITY SAN DIEGO
COURT CODE

CASE NO. _____ CHARGES 23152 (A)VC

BOND AMOUNT \$ 2,500.00

PREMIUM \$ 265.00



By: Scott D. Anschutz
 Scott D. Anschutz Senior Vice President and Attorney-in-Fact

PEOPLE vs. FERNANDEZ, CESAR STATUS: BAIL \$ 2500
CASE # M173101 PROS.# DOB:0622/73 BKG# 13754314
DATE: 09-17-13 AT 08:30 DEPT.# MA INTERP:
JUDGE/COMM/TEMP JUDGE: WILLIAM C GENTRY JR
CLERK: M Rangel

CHARGE(S): VC23152(A) VC23152(B) VC21657 inf.

FUTURE DATES: V. Rawlinz F. Burrow
Attorney for the People (DDA/OCA/DAG) Supervised Cert. Legal Intern
Attorney for Defendant (PD/APD/OAC/Retained/Counseling) Supervised Cert. Legal Intern

DEFENDANT: PRESENT VIA AUDIO VIDEO SELF REPRESENTED NOT PRESENT NOT PRODUCED FAILED TO APPEAR
Defendant waives arraignment for judgment. Imposition Execution of sentence suspended for 2 year(s) on Ct. 2 and year(s) on Ct.

PROBATION IS GRANTED Summary Formal on the following conditions: DENIED, Defendant sentenced as follows:
Violate no laws Minor traffic violations are excepted No same or similar violations Comply with further conditions attached.
CUSTODY Commit to Sheriff for days/hours days suspended. Serve FORTHWITH
Additional days custody stayed pending: successful completion of probation, review hearing

Table with 2 columns: Description, DAYS CREDIT FOR TIME SERVED. Includes rows for local, PC4019 [2/4], PC4019 [2/2], PC4019(b)(1)(c)(1) [2/2], PC4019(b)(2)(c)(2) limited [2/2], total credit.

PAY Attorney Fees** \$ 50 Indigent as to Attorney Fees Fine below include PA per PC1465.7(a).
Crim. Just. Admin Fee-GC29550 et seq. \$ Assessment Unit Fee-VC23649 \$
Court Oper. Assess.*-PC1465.8 \$ AR/Installment Fee*PC1205(e) \$
Crim. Conv. Assess.*-GC70373 \$ [Suspended Amount] \$
Probation Revocation Restitution Fine imposed & suspended-PC1202.44 \$ 190 [Credit for 1 days served] \$ 100
Payments set at \$ per month beginning on and on the of each month thereafter until paid in full.

TOTAL DUE: 201

RESTITUTION Pay restitution to the victim of \$ plus 10% annual interest on unsatisfied amount. to be determined by Probation, payments through Court Collections Revenue & Recovery at \$ per month beginning directly to the victim and show proof to the court by at Review Hearing
See stipulated restitution order. Court retains jurisdiction re: restitution. Submit to civil process. Return to court upon reasonable notice by prosecutor.

PUBLIC SERVICE PROGRAM (PSP) Enroll within 60 days. VOLUNTEER WORK at any non-profit organization Other:
Enroll by days as condition of probation. hours as condition of probation.
days in lieu of fines/fees days custody hours in lieu of fines/fees \$ days custody
days credit for time served/completed hours credit for time served/completed
TOTAL days to be completed TOTAL hours to be completed

SEP 19 2013 DMV ARIZONA

ALCOHOL/DRUGS Standard Alcohol Conditions (VC23600): (1) Not drive with a measurable amount of alcohol/drugs in blood; (2) Submit to any test at the request of a peace officer for detection of alcohol/drugs in blood; (3) Violate no laws regarding driving a motor vehicle while under the influence or in the possession of alcohol, drugs, or both; (4) Not drive without a valid license and liability insurance. Abstain from alcohol. Not be in places where you know or a law enforcement officer informs you that alcohol is the main item for sale, except in the course of employment. Not knowingly use or possess any controlled substance without a valid prescription.

FOURTH AMENDMENT WAIVER: Submit person, vehicle, place of residence, property, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer (to expire).

ENROLL IN & COMPLETE First Conviction Program 3 / 6 / 9 / 12 month Education component only Multiple Conviction Program
Out of county auth. Boating DUI - HN655(b) & (c) Coast Guard Safe Boating School w/DUI component. 8 hr. Traffic Violators School
Attend self-help meetings per week month for days / months and show proof to the court Assessment Unit by
and every 30 days thereafter. STAR Residential Non-Residential treatment program for days / months. as directed by Assessor.
PROOF OF ENROLLMENT PROGRESS COMPLETION by to the
court at REVIEW HEARING(S) Assessment Unit AND every 30 / 60 / days THEREAFTER.

DRIVER LICENSE/VEHICLE Not drive without a valid driver license and liability insurance VC14607.6 VC23593 advisal given.
License is suspended by law and defendant may not drive until right to drive is reinstated by the Dept. of Motor Vehicles and defendant has liability insurance as is required by law. Right to drive is suspended 6 months suspended 1 year pursuant to VC13202.5 - (under 21) revoked for a period of ten years pursuant to VC23597. Surrender license to the court by Defendant petitions for a restricted license.
Critical need found. Petition granted. Petition denied. License restricted for days mos. Driving permitted to/from work school court ordered activities in course of employment. Restriction Suspension concurrent consecutive to any DMV suspension/action effective: Designated as habitual traffic offender for 3 years (VC23546(b)).

Ignition Interlock Device ordered for yrs. Not own or operate vehicle without working certified IID. Defendant declares under penalty of perjury that he/she does not own or operate any vehicle which would require the installation of IID pursuant to VC23575. IID not ordered in the interest of justice.

MISC. All property impounded, seized, or held in custody in this case to be disposed of per possessing agency's policy.
People will not oppose defense motion to withdraw plea & enter a guilty/no contest plea to as Inf. Misd. after mo. successful probation.

REFERRALS Report forthwith by within 72 hours of release or return to U.S. to: Probation Dept. re:
Court Collections Revenue & Recovery Assessment Unit [BAC:] and comply with additional conditions of probation imposed.
All programs fines & fees are stayed. Within 72 hours of returning to the United States, report to the court for assignment/payment arrangements.

DEFENDANT IS ORDERED TO APPEAR ON AT IN DEPT / ROOM
FOR: Sentencing Restitution Execution of Custody
Review regarding enrollment progress completion probation conditions noted above.
Set with case(s): Public Defenders Office Appointed.

OTHER

PEOPLE vs. FERNANDEZ CESAR T STATUS: BAIL \$ 2500
CASE # M173101 PROS. # T STATUS: BAIL \$ 2500
DATE: 09-17-13 AT 08:30 DEPT. # MA INTERP:
JUDGE/COMM/TEMP JUDGE: WILLIAM C GENTRY JR
CLERK: [Signature]

CHARGE(S): VC23152(A) VC23152(B) VC21657 ind

FUTURE DATES: [Signature] CONFIRMED VACATED
Attorney for the People (DDA/DCA/DAG) Supervised Cert. Legal Intern
Attorney for Defendant (PD/APD/OAC/Retained/Counseling) Supervised Cert. Legal Intern

Case called for FTA Arraignment Bail Review Readiness/DWT Jury Trial Preliminary Examination Motion
DEJ Full Limited Protective Order Expires: Protected Party:
Warrant Ordered/Issued on Held to today Cleared Outstanding Bail Bond # \$ forfeited.

CASE TRANSFERRED TO DEPT. TIME ESTIMATE:
Complaint amended by interlineation to read:
Amended Amendment to complaint filed charging adding VC23103 (a) pursuant to VC23103.5 VC22107, VC21658(a), PC647(f)
as INFRACTION(S) pursuant to PC17(d)(2). other:
Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.
Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order*.
Acknowledgment of advisal of constitutional rights signed and filed. Defendant has received copy of complaint.
Defendant waives reading of complaint. Def. states true name is on complaint [] line]
DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged on amended complaint.
Defendant WAIVES: time for speedy trial 10 day/60 day statutory time for preliminary hearing personal presence per PC977
bail review jury trial preliminary hearing

COUNSEL MOTION FOR APPOINTED ATTORNEY Granted Public Defender Alternate Public Defender Office of Assigned Counsel
Atty: Denied Referred to Near Indigent Panel Defendant to retain counsel.
Motion for self-representation is granted denied. Faretta/Lopez Waiver signed & filed. OAC appointed - legal runner/reasonable ancillary services.

CONVICTION Def. is sworn and examined. Defendant withdraws any previously entered plea.
DEFENDANT PLEADS: GUILTY NO CONTEST to: VC23152(a) / (b)
Admits separate conviction(s) alleged/ allegation(s)
Charges contained in amended/amendment to complaint. VC23103(a) per 23103.5 as a lesser included offense of
On motion of Court/People/Defendant remaining count(s) Bal. is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN FOJ VOP
Plea form executed and filed People vs. West BAC:
Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.
ADVISALS given by the court: Theft - PC666 DUI - VC23593 Consequences of Conviction - PC1016.5
WAIVERS: Arbuckle Blakely Cruz Harvey Appeal Rights Non-Bio. Evidence Disposal Time for sentencing, see JUDGMENT MINUTES.
PC1210 Drug Court accepted declined.
Stipulated bindover. Case certified as a general jurisdiction matter. Complaint deemed the Information.
Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for by People Defendant with without objection GRANTED DENIED.
PC1000 Defendant's motion for reinstatement to PC1000 granted as to count(s) for mo./ yrs. New term
Time waived for sentencing S.D. Rescue Mission Program Enroll by Comply with all directions of Assessor.
\$ DEJ Admin Fees (PC1001.16(a) and PC1001.90) Forthwith By
Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) set aside and charges dismissed.
Defendant has FAILED to satisfactorily perform in the DEJ Program. PC1000 set aside and any unpaid fees pertaining thereto deleted.
Court makes a finding of guilt to the charge(s) pled. Time waived for sentencing, see JUDGMENT.

REFERRALS Report forthwith by to Assessment Unit Probation Department Probation to interview.
Pre-sentence Mini Supplemental Psych. Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.
Pre-sentence report waived. Court Collections for payment of attorney fees \$ Indigent as to attorney fees.
** The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/cont. on motion of People Defense Opposed Unopposed By Stipulation, Statutory time is WAIVED
DEFENDANT IS ORDERED TO APPEAR for on at in Dept.
Re: Attorney at in Dept. Motion/PC1538.5 at in Dept.
Arraignment at in Dept. Jury / Court Trial at in Dept.
Bail Review at in Dept. Sentencing at in Dept.
Readiness/DWT at in Dept. Prob. Hrg. & Sent at in Dept.
Prelim Exam at in Dept. DEJ Drug Ct at in Dept.
Time Estimate: hr/day Set with case(s):

MENTAL HEALTH Proceedings suspended pursuant to PC1368. Mental competency examination on at by Forensic
Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on at in Dept. of the
Central Division. The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER Verbal notice of license suspension (DL 310) signed. Fingerprint form filed.
Book & Release - Report on at to Central Vista Las Colinas Detention Facility.

CUSTODY STATUS Defendant REMANDED to custody of Sheriff without bail with bail set at / increased to / reduced to \$
PC1275.1 HOLD. Pretrial Services Report Ordered re: SOR Refer to CPAC.
REMAINS AT LIBERTY RELEASED: on bail previously posted. after booking DEJ OR SUPERVISED OR - comply with P.T.S. conditions
some terms and conditions to an authorized representative of