

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

VCB

Central Division East County Division North County Division South County Division

PEOPLE vs. LINARES JOSEPH STATUS: BOND \$ 50000
CASE # CD303984 PROS. # AFG07701 DOB: 072502 BKG # 24725885
DATE: 07/02/24 AT 01:30 DEPT. # 101 INTERP:
JUDGE/COMM/TEMP JUDGE: PRO, JOHN G. STIP. FILED REPORTER: Janna Ervin, CSR 9685
CLERK: X. Lu

CHARGE(S): PC594(A)(B)(1) VC23103(A)

FUTURE DATES: N. Shabrestani L. Jimenez CONFIRMED VACATED

Attorney for the People (DA/DCA/DAG) Supervised Cert. Legal Intern Attorney for Defendant (VAPD/OAC) (Retained) (Counseling) Supervised Cert. Legal Intern
DEFENDANT: PRESENT VIA AUDIO VIDEO SELF REPRESENTED NOT PRESENT PC977 NOT PRODUCED FAILED TO APPEAR

Case called for FTA Arraignment Bail Review Readiness/DWT Jury Trial Preliminary Examination Motion
Diversions Full Limited Protective Order Release conditions/ Other:
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
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 Def. states true DOB 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
Stipulated body worn camera protective order signed and filed.

COUNSEL MOTION FOR APPOINTED ATTORNEY Granted Public Defender Alternate Public Defender Office of Assigned Counsel
Atty: LUIS JIMENEZ Re-appointed Denied Defendant to retain counsel.
Motion for self-representation 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/related offense of
On motion of Court/People/Defendant remaining count(s) 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) Immigration consequences (PC1016.5)
Firearm relinquishment advisal and order (PC29810). BOF 1022 provided to defendant submitted by defendant to Probation. Do not knowingly own, transport, sell, possess, or have custody or control of any weapon, firearm, firearm precursor part, ammunition, ammunition feeding device, or body armor
WAIVERS: Arbuckle Blakely Cruz Harvey Appeal Rights Non-Bio. Evidence Disposal Time for sentencing, see JUDGMENT MINUTES.
Stipulated bindover. Case certified as a general jurisdiction matter. Complaint deemed the Information. Fingerprint form filed.
Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for by People Defendant with without objection GRANTED DENIED.
DIVERSION Defendant's motion for diversion: Misdemeanor (PC1001.95) Military (PC1001.80) Mental Health (PC1001.36)
GRANTED as to count(s) and criminal proceedings suspended for months DENIED.
Enroll in and successfully complete the diversion program and comply with all court orders.
Pay \$ diversion restitution fee (PC1001.90). Payment due: Payments set at \$ per month starting and on the of each month thereafter until paid in full.
Defendant satisfactorily COMPLETED diversion Misdemeanor (PC1001.95) Military (PC1001.80) Mental Health (PC1001.36)
Count(s) dismissed. Case dismissed.
Defendant FAILED to satisfactorily complete diversion Diversion terminated and criminal proceedings reinstated Unpaid diversion restitution fee set aside

REFERRALS Report immediately by to SAAU Court Collections Probation Department Probation to interview.
Pre-sentence Mini Supplemental Stipulated Pre-sentence report waived.
Defendant is ordered to complete the Book & Release process by:

HEARINGS Set/cont. on motion of People Defense Opposed Unopposed By Stipulation, Statutory time is WAIVED
DEFENDANT IS ORDERED TO APPEAR for
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 8-14-24 at 8:15 in Dept. 1102 Prob. Hrg. & Sent at in Dept.
Prelim Exam 8-22-24 at 8:30 in Dept. 102 Diversion/Drug Ct at in Dept.
Time Estimate: 45 min. hr/day Days remaining: Set with case(s):

MENTAL HEALTH Proceedings suspended pursuant to PC1368. The court orders and authorizes the Forensic Evaluation Unit to perform an evaluation of the defendant on or before the next hearing date. Cell-side access is authorized. The Sheriff's Department is to transfer the defendant to the Central Jail when requested. Out of custody: Report to the Forensic Evaluation Unit on at 8:00 a.m. Central Division, Hall of Justice, Room 481. Hearing on at in Dept. of the Central Division.

OTHER

CUSTODY STATUS Defendant REMANDED to custody of Sheriff without bail bail remains as set bail set at/ increased/ reduced to \$
PC1275.1 HOLD. PTS Report Ordered re-SOR Refer to CPAC. Alcohol/drug monitoring to be installed by
REMAINS AT LIBERTY RELEASED: on bail previously posted after booking OR SUPERVISED OR-comply with PTS conditions
same terms and conditions to an authorized representative of: on at
Release Conditions: Attend self-help mtgs. per week and submit proof at each court hearing. Abstain from alcohol.
Not use or possess any controlled substances without a valid prescription. Not possess narcotic paraphernalia.
Def. waives 4th amendment rights and agrees to 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 Prob. Officer or other law enforcement officer until revoked. for duration of diversion.
Have no contact with/stay away from: Oliver Wang Shi Protective Order issued.
Previously ordered: 4th WAIVER continues deleted PROTECTIVE ORDER continues modified. terminated.

WARRANT/BAIL Bench warrant ordered Bail set at \$ No Bail Counsel indicates no contact with defendant.
Mandatory Appearance Night Service Authorized HOLD issuance to DATE SET ABOVE. ISSUED ON
Warrant previously ordered/issued remains outstanding rescinded RECALLED ON:
Fine from bail, refund balance. Declaration of non-collusion/ re-assumption of liability filed. Bail forfeiture set aside.
BAIL is forfeited reinstated exonerated upon payment of court cost \$ within 30 days cost waived.
Bond # Bond \$ Bond Company
Affidavit requested. Due by:

Date: ATTEST A TRUE COPY, Clerk of the Superior Court by Deputy
Distribution by: on to: Jail Def. Atty. Pros. Prob. R&R Interpreter Coordinator Other:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Central Division East County Division North County Division South County Division

PEOPLE vs. LINARES JOSEPH STATUS: BOND \$ 50,000
CASE # CD000984 PROS. # AFG07701 DOB: 07/25/02 BKG # 24725385 CTS: days hrs.
DATE: 08-14-24 AT 08:15 DEPT. # 1102 INTERP: Spanish Sworn Oath on File
JUDGE/COMM/TEMP JUDGE: POLLY H. SHAMON STIP. FILED REPORTER: C. Johnsen, CSR 8232
CLERK: [Signature] CSR # / COUNTER #:

CHARGE(S): PC294(A)(B)(1) VC23103(A)

FUTURE DATES: PE 08-22-24 @ 8:30 D-102 L. JIMENEZ CONFIRMED VACATED 24/50

Attorney for the People (DDA / DCA / 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 PC977 NOT PRODUCED FAILED TO APPEAR

Case called for FTA Arraignment Bail Review Readiness/DWT Jury Trial Preliminary Examination Motion
Diversion Full Limited Protective Order Release conditions/ Other:
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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 Def. states true DOB 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
Stipulated body worn camera protective order signed and filed.

COUNSEL MOTION FOR APPOINTED ATTORNEY Granted Public Defender Alternate Public Defender Office of Assigned Counsel
Atty: Re-appointed Denied 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: CT.1 PC594(b) CT.2 VC23103(a) 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/related offense of
On motion of Court/People/Defendant remaining count(s) is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN FOJ VOP
Plea form executed and filed People vs. West BAC:
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Count(s) dismissed. Case dismissed.
Defendant FAILED to satisfactorily complete diversion Diversion terminated and criminal proceedings reinstated Unpaid diversion restitution fee set aside

REFERRALS Report immediately by to SAAU Court Collections Probation Department Probation to interview.
Pre-sentence Mini Supplemental Stipulated Pre-sentence report waived.
Defendant is ordered to complete the Book & Release process by: full prob. report - in person interview

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 09.19.24 at 1:30 in Dept. 1102
Prelim Exam at in Dept. Diversion/Drug Ct at in Dept.
Time Estimate: hr/day Days remaining: Set with case(s):

MENTAL HEALTH Proceedings suspended pursuant to PC1368. The court orders and authorizes the Forensic Evaluation Unit to perform an evaluation of the defendant on or before the next hearing date. Cell-side access is authorized. The Sheriff's Department is to transfer the defendant to the Central Jail when requested.
Out of custody: Report to the Forensic Evaluation Unit on at 8:00 a.m. Central Division, Hall of Justice, Room 481. Hearing on at in Dept. of the Central Division.

OTHER

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PC1275.1 HOLD. PTS Report Ordered re: SOR Refer to CPAC. Alcohol/drug monitoring to be installed by
REMAINS AT LIBERTY RELEASED: on bail previously posted after booking OR SUPERVISED OR-comply with PTS conditions
same terms and conditions to an authorized representative of: on at
Release Conditions: Attend self-help mtgs. per week and submit proof at each court hearing. Abstain from alcohol.
Not use or possess any controlled substances without a valid prescription. Not possess narcotic paraphernalia.
Def. waives 4th amendment rights and agrees to 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 Prob. Officer or other law enforcement officer until revoked. for duration of diversion.
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Previously ordered: 4th WAIVER continues deleted PROTECTIVE ORDER continues modified. terminated.

WARRANT/BAIL Bench warrant ordered Bail set at \$ No Bail Counsel indicates no contact with defendant.
Mandatory Appearance Night Service Authorized HOLD issuance to DATE SET ABOVE ISSUED ON
Warrant previously ordered/issued remains outstanding rescinded RECALLED ON:
Fine from bail, refund balance. Declaration of non-collusion/ re-assumption of liability filed. Bail forfeiture set aside.
BAIL is forfeited reinstated exonerated upon payment of court cost \$ within 30 days cost waived.
Bond # Bond \$ Bond Company
Affidavit requested. Due by:

Date: 8/14/24 ATTEST A TRUE COPY, Clerk of the Superior Court by Deputy
Distribution by: on Jail Det. Atty. Pros. Prob. R&R Interpreter Coordinator Other:

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2  
3 SUPERIOR COURT OF CALIFORNIA  
4 COUNTY OF SAN DIEGO

FILED  
Clerk of the Superior Court

5 JUL 02 2024

6 By: X. Lugo

7 THE PEOPLE OF THE STATE  
8 OF CALIFORNIA,

9 Plaintiff,

10 v.

11 JOSEPH LINARES,

12 Defendant.

Case No. CD303984

**PROTECTIVE ORDER**

13 IT IS HEREBY ORDERED, as follows:

14 The following Protective Order shall govern the use and disclosure of the Law  
15 Enforcement Generated Video ("Video"), including CHP MVARs and/or Body Worn Camera,  
16 produced in accordance with discovery disclosure under the laws of California in the case of  
17 People v. Joseph Linares, Case No. CD303984.

18 Except by further order of this Court:

- 19 1. The Video shall not be used in any proceeding other than the instant case.  
20 2. The Video shall not be downloaded or inputted into any computer program or internet  
21 website subsequent to the issuance of this order. This does not apply to any computer program  
22 maintained and used specifically for this criminal action.  
23 3. This Protective Order shall not prevent authorized individuals from having access to a  
24 Video to which they would have had access in the normal course of their duties.  
25 4. No copy shall be provided to a defendant or witness, without further order of the  
26 court. A copy may be provided to investigators, experts, or consultants retained by any party to  
27 work on this case. Any such copies shall be destroyed by the investigator, expert or consultant  
28 upon the final termination of this case. Confirmation of the destruction will be provided to the

1 defense counsel.

2 5. Disclosure of the Video recording shall be limited to the following persons: any  
3 counsel, party, defendant, or witness in this case, and legal interns, investigators, experts or  
4 consultants retained or used by any party to work on this case.

5 6. Counsel for any party to this action shall advise those individuals to whom disclosure  
6 of the Video is made of the terms of the Protective Order, and obtain the consent of any such  
7 individual that he/she will be bound by the Protective Order. In the event such individual does  
8 not consent to be bound by the Protective Order, no disclosure of the recording or its contents  
9 will be made.

10 7. Defense counsel shall not provide to the Defendant or a witness, either orally or in  
11 writing, any personal identifying information as defined in Penal Code section 530.55(b) and/or  
12 pursuant to Penal Code section 1054.2, except names, of any person identified within the Video.

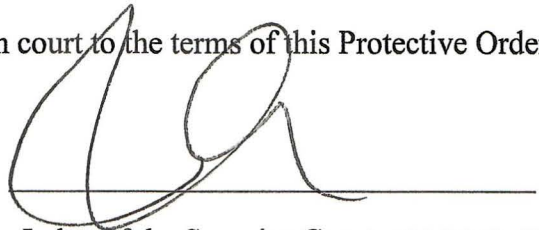
13 8. This Protective Order is binding on the Offices of the Public Defender, the Alternate  
14 Public Defender, Office of Assigned Counsel, Multiple Conflicts, and retained private attorneys.

15 9. This Protective Order and the obligations of all persons subject to it, shall survive the  
16 final termination of this case, whether such termination is by settlement, judgment, dismissal,  
17 appeal, or otherwise. The Court retains jurisdiction to modify this order and to make further  
18 orders regarding the custody, control, and use of the Video.

19 10. Parties to this case have stipulated in open court to the terms of this Protective Order.

20 IT IS SO ORDERED.

21 Dated: JUL 02 2024



22 Judge of the Superior Court JOHN G. PRO

1 DOD LAW, APC.  
Luis Jimenez, Esq.  
State Bar No. 343053  
2 303 A Street Suite 306  
San Diego, California 92101  
3 Telephone: (619) 653-8786

4 Attorneys for Defendant  
Joseph Linares

FILED  
Clerk of the Superior Court

SEP 18 2024

By: P. Reyes, Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF SAN DIEGO

10 THE PEOPLE OF THE STATE OF  
11 CALIFORNIA, )

12 Plaintiff,

13 v.

14 Joseph Linares

15 Defendant. )

Case No.: JCD303984  
D.A. No.: AFG077

STATEMENT IN MITIGATION

DATE: 09/19/2024  
TIME: 1:30 PM  
DEPT: 1102

17  
18 TO: PLAINTIFF ABOVE-NAMED AND ITS ATTORNEY, SUMMER STEPHAN,  
19 DISTRICT ATTORNEY FOR THE COUNTY OF SAN DIEGO, THE CLERK  
OF THE ABOVE ENTITLED COURT, AND TO THE PROBATION  
20 OFFICER OF SAN DIEGO COUNTY

21 The defendant herein, JOSEPH LINARES, submits the following statement in mitigation.  
22 JOSEPH LINARES requests that the court to grant probation and to allow him to serve any  
23 custody time via CPAC or Work-Furlough.

24 All references to rules are to the California Rules of Court.

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I.

**SUMMARY OF THE CASE**

A criminal complaint was filed by the OFFICE OF THE DISTRICT ATTORNEY against JOSEPH LINARES (Mr. Linares) on July 1, 2024, alleging violations of Penal Code 594(a)(b)(1) and Vehicle Code § 23103(a). At the Arraignment, Mr. Linares entered a plea of not guilty denying all allegations. On August 14, 2024, at the first Readiness conference Mr. Linares pled guilty to all charges with the condition that the Court would grant probation and strongly consider alternatives to custody including CPAC and Work-Furlough.

II.

**THE COURT SHOULD ALLOW MR. LINARES TO SERVE ANY CUSTODY TIME THROUGH CPAC OR IN THE ALTERNATIVE WORK-FURLOUGH.**

We are recommending that the court exercise its discretion by allowing Mr. Linares to serve any custody through CPAC or Work-Furlough. Mr. Linares should be given the benefit of several mitigating factors during the court's determination of which penalty to impose.

**A) Cooperative, Remorseful and Accepts Full Responsibility**

Since the outset, 22-year-old Mr. Linares has been cooperative and has accepted full responsibility. Mr. Linares is remorseful for his actions, and he admits that he made a poor decision that resulted in the damage to another's person's property. Mr. Linares understands the gravity of his actions. He understand that he is lucky that no one got injured that day and that he could have avoided these risks by staying inside of his vehicle. Mr. Linares accepts that his emotions got the best of him that day. Mr. Linares, approaching the other vehicle out of a fit of rage was completely out his character, and so is the entirety of this situation. Mr. Linares understands he risked his own life, and he is thankful nothing more came out of that.

Mr. Linares deeply regrets his actions and he is disappointed at himself and is welcoming and taking all steps necessary to recover.

**B) No Criminal History**

This incident is the first time Mr. Linares has ever been in trouble with the law. This will

1 be the first offense on his record.

2 **C) Mental Health Illness:**

3 While punishment is warranted, the negative impact of custody would negatively impact  
4 Mr. Linares. Prior to the incident Mr. Linares was dealing with with mental health illness. He is  
5 being treated for anger management by a licensed therapist. Separately Mr. Linares is diagnosed  
6 as bipolar and suffers from depression and is under treatment. Since on November 18, 2019, Mr.  
7 Linares has been attending weekly therapy sessions to address symptoms of depression, anxiety,  
8 and anger management. The treatment includes Dialectical Behavior Therapy (DBT) and  
9 Cognitive Behavioral Therapy (CBT) to help mitigate these symptoms.

10 According to Lee Shaw Jr, Licensed Therapist, throughout the course of therapy, Mr.  
11 Linares has demonstrated noticeable progress, particularly in his ability to apply the tools  
12 provided. Recently, Mr. Linaress has shown significant improvement in managing his anger,  
13 leading to a general reduction in mental health symptoms. Mr. Linares efforts suggest a positive  
14 outlook for continued growth. (Exhibit A) Any jail time will interrupt Mr. Linares's progress and  
15 could worsen his mental health illness. Mr. Linares mental health will suffer if he is in custody.

16 **E) Strong Support of Family and Friends**

17 Mr. Linares has a huge amount of support from family and friends as seen in the numerous  
18 letters provided to the Court. The letters provided to the Court are touching and come from  
19 numerous friends and family who took the time to provide the Court first-hand knowledge about  
20 who Mr. Linares is:

21 Nancy Dominguez-Wales, a Social Practitioner for the County of Riverside and Mr.  
22 Linares' aunt wants the court to know that "I believe that Joseph is a good person and he sincerely  
23 regrets having made such a bad decision. Joseph has a good support system with his parents,  
24 siblings, grandparents, aunts, uncles and cousins who are prepared to help in any way possible. I  
25 believe that Joseph made a mistake and is ready to make the necessary changes and seek the help  
26 that is needed to be able to lead a happy life." (Exhibit B)

27 Ray Linares & Angelina Linares, Mr. Linares' parents, jointly stated "Joe is well-known as  
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1 an honest person with a great work ethic. Joe is a man of faith. Joe prays regularly in private and  
2 actively with us. Because of Joe's character, his accomplishments to date, and that fact that he is  
3 remorseful, we are giving testimony on his behalf. Joe is naturally a gentle man with an awesome  
4 smile, and it shows as he is always well-received. Joe understands service before self. He cares  
5 deeply about the future of San Diego & California. For example, he started out as a volunteer and  
6 now is on the payroll of a local political action committee. The total time he has spent, in this  
7 regard, is one year and four months. For a young man of 22, this is encouraging to know that a  
8 young person can care so deeply about shaping the future. Joe understands that there is no place  
9 for an angry outburst leading to physical damage in a civil society.” (Exhibit C)

10 Trinity Hannaway, who has worked with Mr. Linares for the past year, at Reform  
11 California, where Mr. Linares serves as an Outreach Coordinator, stated that “But what sets Joe  
12 apart is not just his extraordinary work ethic; it is his character, which shines brightly in every  
13 interaction he has. Joe is the kind of person who is always there for others—whether it’s his  
14 colleagues, friends, or even strangers. He’s the colleague who will willingly come to the office on  
15 a weekend just to help with extra work and office management, even when it means sacrificing his  
16 own time. He’s the friend who will always lend an ear when you need to talk, offering his full  
17 attention. And most importantly, he’s a compassionate individual who goes out of his way to  
18 ensure that everyone around him is taken care of, without expecting anything in return. Joe’s  
19 kindness is genuine and selfless—he helps because he believes it’s the right thing to do, not  
20 because he seeks recognition or reward.” (Exhibit D)

21  
22 **F) Who Mr. Linares was before the incident**

23 **a. Early Life**

24 Mr. Linares was born and raised in an intact family in Riverside, CA. He attended a Catholic  
25 school up until the second grade where he then transferred to a public school. In 2012, Mr. Linares’s  
26 childhood was complex as he has a stern father who taught him how to be a man. Mr. Linares has a  
27 loving mother, an older sister and a twin sister. Although it was complex childhood, at whole it was  
28

1 a normal childhood.

2 **b. Education and Employment**

3 Mr. Linares high school experience was as good as it gets. He was in all honors and AP  
4 courses, varsity letters all four years for football, swim, and water polo. Outside of school, he was  
5 on an academy soccer team and club water polo team, and he could have dedicated to sports his  
6 entire life. In high school he was part of a mentoring program called LINK CREW that helped  
7 incoming freshman adjust to the new environment. Mr. Linares graduated in the year 2020 right at  
8 the start of COVID which had a heavy impact on him.

9  
10 Mr. Linares moved to San Diego to attend CSU San Marcos and was in a dorm all alone.  
11 Classes were online, and he was working. It was a struggle. Due to his mental health issues Mr.  
12 Linares ended up dropping out of the university as his grades suffered immensely, he attributes the  
13 bad grades to the isolation. However, Mr. Linares was always able to maintained a job, so he was  
14 always able to support himself. Mr. Linares was in a relationship with a girl he met when they were  
15 both 16 and the relationship ended in 2022. This bad break up exacerbated his mental health issues.

16 In May of 2023, Mr. Linares successfully completed 80 hours of Peer/Recovery Support  
17 Specialist Training A Medi-Cal Peer Support Specialist Training. (Exhibit E)

18 Currently Mr. Linares resides in La Jolla working for a local political action committee and  
19 a recent elect for the Republican Central Committee for SD county D3. Mr. Linares serves as an  
20 Outreach Coordinator where he takes on significant responsibilities, including case management and  
21 extensive research.

22 **G) What Mr. Linares has done after the incident?**

23 Mr. Linares continues to treat with Lee Shaw Jr, Licensed Therapist in weekly therapy  
24 sessions to address symptoms of depression, anxiety, and anger management. The treatment  
25 includes Dialectical Behavior Therapy (DBT) and Cognitive Behavioral Therapy (CBT) (Exhibit  
26 A).

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III.

CONCLUSION

The Court should consider Mr. Linares's strong community and family support, lack of criminal history, extreme remorse, mental health illness and overall cooperation and demeanor throughout this case and allow him to serve any custody time through CPAC or Work Furlough.

Dated: 09/13/2024

Respectfully submitted,

By:   
Luis Jimenez  
Attorney for Defendant  
Joseph Linares

**EXHIBIT A**

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**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
CENTRAL DIVISION**

**FILED**  
Clerk of the Superior Court

THE PEOPLE OF THE STATE OF CALIFORNIA,  v.  JOSEPH LINARES, <i>dob 07/25/02, Booking No. 24725885A;</i>	Plaintiff,       Defendant
--	---

CT No. CD303984      JUL 01 2024  
DA No. AFG077  
By: V. Garcia Barron  
Central Division  
COMPLAINT-FELONY

COPY

INFORMATION   Date: _____
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**PC296 DNA TEST STATUS SUMMARY**

<b>Defendant</b>	<b>DNA Testing Requirements</b>
LINARES, JOSEPH	DNA sample has been previously provided

**CHARGE SUMMARY**

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC594(a)(b)(1) LINARES, JOSEPH	Felony	16-2-3		
2	VC23103(a) LINARES, JOSEPH	Misdemeanor	5-90 Days		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

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

## CHARGES

### COUNT 1 - VANDALISM OVER \$400

On or about June 22, 2024, JOSEPH LINARES did unlawfully and maliciously damage and destroy real and personal property not his or her own, and the amount of defacement, damage, and destruction was four hundred dollars (\$400) or more, in violation of PENAL CODE SECTION 594(a)(b)(1).

### COUNT 2 - RECKLESS DRIVING

On or about June 22, 2024, JOSEPH LINARES did unlawfully drive a vehicle upon a highway in willful and wanton disregard for the safety of persons and property, in violation of VEHICLE CODE SECTION 23103(a).

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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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CD303984, CONSISTS OF 2 COUNTS.

Executed at City of San Diego, County of San Diego, State of California, on July 1, 2024.

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COMPLAINANT

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INFORMATION

SUMMER STEPHAN  
District Attorney  
County of San Diego  
State of California  
by:

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Date

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Deputy District Attorney

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO # D  
Clerk of the Superior Court  
CENTRAL DIVISION

JUL 01 2024

THE PEOPLE OF THE STATE OF CALIFORNIA, <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> JOSEPH LINARES, <i>dob 07/25/02, Booking No. 24725885A;</i> <p style="text-align: right;">Defendant</p>	CT No. CD303984 DA No. AFG077  COMPLAINT-FELONY
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By: V. Garcia Barron  
Central Division

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INFORMATION  Date: _____
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COMPLAINANT

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INFORMATION

SUMMER STEPHAN  
District Attorney  
County of San Diego  
State of California  
by:

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Date

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Deputy District Attorney



FILED  
Clerk of the Superior Court

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

ADVISAL OF CONSTITUTIONAL AND OTHER RIGHTS

By: B. Delgado, Deputy

People of the State of California vs. Joseph Linares Case No. CD303984

1. I have been advised of and I understand the following constitutional rights that apply to all criminal cases:
  - a. The right to a speedy and public trial;
  - b. The right to remain silent and not incriminate myself;
  - c. The right to confront and cross-examine all witnesses against me;
  - d. The right at the trial to present evidence in my favor which includes the right to have witnesses subpoenaed to testify in my behalf and to obtain all evidence that may exonerate me; and
  - e. The right in misdemeanor or felony cases to be tried by a jury of twelve people.

**I understand that if I plead guilty or no contest, I waive and give up all of the rights listed above.**
2. I understand I have a right to have an attorney defend me at all stages of the proceedings for a criminal case, and if my case involves a misdemeanor or felony and I cannot afford an attorney the court will appoint an attorney to represent me.
3. I understand that in infraction and misdemeanor cases I have a right to be sentenced no sooner than six hours and no later than five days after a guilty or no contest plea, or a verdict.
4. I understand that I have a right to have a trial before a judge (felonies/misdemeanors) or court commissioner (infractions). If I am charged with a misdemeanor, I agree that a duly appointed court commissioner may act as a temporary judge and take all pleas, decide all motions, and sentence me in this case.
5. I understand that while I am subject to additional statutory fines and penalties, the basic potential penalties include:
  - a. For an infraction, up to \$250 on each first offense, unless otherwise specified by statute;
  - b. For a misdemeanor, up to 364 days in jail and/or \$1,000, unless otherwise specified by statute;
  - c. If applicable, restitution to the victim or to the Restitution Fund;
  - d. For a failure to appear/pay fine, a civil penalty of up to \$100, the issuance of an arrest/bench warrant, new charges, or the imposition of a civil assessment per Pen. Code, §1214.1 with referral to a collection agency.
6. If I am not a citizen and am convicted of a misdemeanor or felony it may result in my deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
7. If charged with an infraction violation of Pen. Code, §§ 193.8, 272(b)(1), 330, 415, 485, 490.1, 490.7, 555, 532b(c), 602(o), 602.13, or 853.7; Bus. & Prof. Code, §§ 2052, 2054, 2630, 2903, 3660, 3760, 3761, 4080, 4825, 4935, 4980, 4996, 5536, 6704, 6980.10, 7317, 7502, 7574.10, 7582, 7592, 7520, 7617, 7641, 7872(a), 8016, 8505, 8725, 9681, 9840, 9891.24(c), 19049, 21672, 25658(b), 25661 or 25662; Gov. Code, § 27204; or Veh. Code, §§ 5201.1, 12500, 14601.1, 23109(c), 27150.1, 40508 or 42005: I understand I have the right to elect to have the case proceed as a misdemeanor and, if I so elect, I would have all the rights and be subject to the potential penalties associated with a misdemeanor prosecution, and that I will be ordered to appear in court on a future date. I also understand that the prosecuting agency may not have reviewed my case before the Citation/Notice to Appear was filed with the court and that, if I elect to proceed as a misdemeanor, the prosecuting agency might review my case and add, delete or amend the charges.
8. I understand that there are certain provisions of law specifically designed for individuals who have "active duty or veteran status" (active military duty service, reserve duty status, National Guard service, and veteran status) and who have been charged with a misdemeanor or felony. (See Pen. Code, §§ 1001.80, 1170.9, 1170.91.) If I have active duty or veteran status, I may request a copy of the Judicial Council's Notification of Military Status form (JC Form #MIL-100) that explains my rights, and I may file that form with the court so that my active duty or veteran status is on file with the court. The form is also available online at [www.courts.ca.gov](http://www.courts.ca.gov). If I file a Notification of Military Status form (JC Form #MIL-100) with the court, I understand I must serve a copy of the form on the prosecuting attorney and defense counsel. The court will transmit a copy of the form to the county's Veterans Service Office for confirmation of my military service. The court will also transmit a copy of the form to the Department of Veterans Affairs. I understand I should consult with an attorney prior to submitting the Notification of Military Status form (JC Form #MIL-100) and I may, without penalty, decline to provide this information to the court.

I declare under penalty of perjury under the laws of the State of California that I have read and understand my rights as set forth above.

Date: 25UL24

Signature of Defendant

I, \_\_\_\_\_, having duly been sworn, truly translated this form to the defendant in the \_\_\_\_\_ language. (S)he indicated that (s)he understood the contents and then signed it.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Interpreter

I, Luis Jimenez, have advised this defendant of all rights referred to above.

Date: 7/2/24

Signature of Attorney



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

RECONOCIMIENTO DE DERECHOS CONSTITUCIONALES Y OTROS DERECHOS

El Pueblo del Estado de California contra \_\_\_\_\_ N.º de caso \_\_\_\_\_

- 1. Se me han informado y entiendo los siguientes derechos constitucionales que corresponden a todos los casos penales:
a. El derecho a un juicio público y rápido;
b. El derecho a guardar silencio y no incriminarme;
c. El derecho a confrontar y contrainterrogar a todos los testigos en mi contra;
d. El derecho a presentar pruebas a mi favor en el juicio, lo cual incluye el derecho a que se cite a testigos para que testifiquen en mi nombre y a obtener todas las pruebas que pudieran exonerarme, y
e. El derecho a ser juzgado por un jurado de doce personas en los casos de delitos menores o mayores.
Entiendo que, si me declaro culpable o no me opongo, cedería y renunciaría a todos los derechos mencionados anteriormente.
2. Entiendo que, en un caso penal, tengo derecho a que un abogado me defienda en todas las etapas del proceso, y que, si mi caso corresponde a un delito menor o mayor y yo no puedo pagar un abogado, el juez me asignará uno para que me represente.
3. Entiendo que, en los casos de infracción y de delito menor, tengo derecho a ser sentenciado no antes de seis horas y no después de cinco días a partir de que me declare culpable o declare no oponerme, o del veredicto.
4. Entiendo que tengo derecho a tener un juicio ante un juez (en un caso de delito mayor o menor) o ante un comisionado de la corte (en caso de infracción). Si soy acusado de un delito menor, estoy de acuerdo en que un comisionado de la corte debidamente nombrado actúe como juez temporal y tome todas las declaraciones, decida sobre todas las mociones y pronuncie mi sentencia en este caso.
5. Entiendo que, aunque estoy sujeto a multas y penas adicionales establecidas por ley, las posibles penas básicas incluyen:
a. En los casos de infracción, hasta \$250 por cada primer delito, a menos que la ley especifique lo contrario;
b. En los casos de delito menor, hasta 364 días de cárcel y/o \$1,000, a menos que la ley especifique lo contrario;
c. Si procede, la restitución a la víctima o al Fondo de Restitución, y
d. Por falta de comparecencia o no pagar una multa, una pena civil de hasta \$100, la expedición de una orden de detención o de arresto de banca, nuevos cargos o la imposición de una tasa civil según la §1214.1 del Código Penal con remisión a una agencia de cobranza.
6. Si no soy ciudadano y se me condena por un delito menor o mayor, podría derivar en mi deportación, en la exclusión de mi admisión a los Estados Unidos o en la denegación de mi naturalización según las leyes de los Estados Unidos.
7. Si se me acusa de una infracción de las §§ 193.8, 272(b)(1), 330, 415, 485, 490.1, 490.7, 555, 532b(c), 602(o), 602.13 o 853.7 del Código Penal; las §§ 2052, 2054, 2630, 2903, 3660, 3760, 3761, 4080, 4825, 4935, 4980, 4996, 5536, 6704, 6980.10, 7317, 7502, 7574.10, 7582, 7592, 7520, 7617, 7641, 7872(a), 8016, 8505, 8725, 9681, 9840, 9891.24(c), 19049, 21672, 25658(b), 25661 o 25662 del Código Empresarial y Profesional; la § 27204 del Código Gubernamental, o las §§ 5201.1, 12500, 14601.1, 23109(c), 27150.1, 40508 o 42005 del Código Vehicular: Entiendo que tengo derecho a elegir que el caso proceda como delito menor y, si así lo elijo, tendría todos los derechos y estaría sujeto a las posibles penas asociadas con un procesamiento por delito menor, y que se me ordenará comparecer ante la corte en una fecha futura. También entiendo que es posible que la agencia del orden público no haya revisado mi caso antes de que se presentara ante la corte la Citación o Notificación de Comparecencia y que, si elijo que se proceda con el caso como delito menor, la fiscalía podría revisar mi caso y agregar, borrar o enmendar los cargos.
8. Entiendo que existen ciertas disposiciones de ley específicamente destinadas a personas en "calidad de servicio militar activo o calidad de veterano" (servicio activo en las fuerzas militares, en calidad de reservista, servicio en la Guardia Nacional y en calidad de veterano) y que han sido acusadas de un delito menor o mayor. (Consulte las §§ 1001.80, 1170.9, 1170.91 del Código Penal). Si estoy en calidad de servicio militar activo o de veterano, puedo solicitar una copia del formulario de Notificación de condición militar (formulario del Consejo Judicial [Judicial Council, JC] #MIL-100) del Consejo Judicial que explica mis derechos, y puedo presentar ese formulario ante la corte para que mi calidad de servicio militar activo o de veterano quede archivada en la corte. Este formulario también está disponible en la página www.courts.ca.gov. Si presento un formulario de Notificación de condición militar (formulario del JC #MIL-100) ante la corte, entiendo que debo entregar una copia del formulario al fiscal y al abogado defensor. El juez enviará una copia del formulario a la Oficina de Servicio a Veteranos del condado para la confirmación de mi servicio militar. El tribunal también enviará una copia del formulario al Departamento de Asuntos de Veteranos. Entiendo que debo consultar a un abogado antes de presentar el formulario de Notificación de condición militar (formulario del JC #MIL-100) y que puedo, sin pena, rehusarme a proporcionar esta información a la corte.

Declaro bajo pena de perjurio de conformidad con las leyes del estado de California que he leído y entiendo mis derechos explicados anteriormente.

Fecha: \_\_\_\_\_ Firma del acusado

Yo, \_\_\_\_\_, habiendo sido debidamente juramentado, traduje fielmente el presente formulario al acusado en el idioma \_\_\_\_\_. El/ella indicó que entendió el contenido y lo firmó.

Fecha: \_\_\_\_\_ Firma del intérprete

Yo, \_\_\_\_\_, informé al acusado de todos los derechos mencionados anteriormente.

Fecha: \_\_\_\_\_ Firma del abogado



DEFENDANT: Joseph Linares

CASE NUMBER:

CD303984

8. b. Within 24 hours of receiving this order the defendant must turn in to local law enforcement, or sell to or store with a licensed gun dealer, any firearms, firearm parts, and body armor owned by the defendant or within the defendant's immediate possession or control.
- c. Within 48 hours of receiving this order the defendant must file a receipt with the court showing that all firearms, firearm parts, and body armor have been turned in, sold, or stored.
- d.  The court finds good cause to believe that the defendant has a firearm, firearm parts, and body armor within their immediate possession or control and sets a review hearing for (date): \_\_\_\_\_ (time): \_\_\_\_\_ (dept.): \_\_\_\_\_ to ascertain whether the defendant has complied with the firearm, firearm parts, and body armor relinquishment requirements of Code of Civil Procedure section 527.9 (Cal. Rules of Court, rule 4.700).
- e.  Limited exemption: The court has made the necessary findings to grant an exemption under Code of Civil Procedure section 527.9(f). Under California law, the defendant is not required to relinquish this firearm or body armor (specify make, model, and serial number of firearm): \_\_\_\_\_ but must only have it during scheduled work hours and while traveling to and from their place of work. Even if exempt under California law, the defendant may be subject to federal prosecution for possessing or controlling a firearm or body armor.
9.  **No dissuading victim or witness (for pretrial orders issued under Penal Code section 136.2(a)(1))**  
The defendant must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing, testifying, or making a report to any law enforcement agency or person.
10. **No obtaining addresses (for orders issued under Penal Code section 136.2)**
- a. The defendant must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardians unless good cause exists otherwise.
- b.  The court finds good cause not to make this order.
11.  **Order to not abuse**  
Defendant must not harass, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy or damage personal or real property, disturb the peace of, keep under surveillance, annoy by phone or other electronic means (including repeatedly contact), impersonate (on the internet, electronically, or otherwise), or block movements of the protected persons named in items 2 and 3.
12.  **No-contact order**  
Defendant must not contact the protected persons named in items 2 and 3, directly or indirectly, by any means, including by telephone, mail, email or other electronic means, or through a third party. Contact through an attorney under reasonable restrictions set by the court does not violate this order.
13.  **Stay-away order**  
Defendant must stay at least 100 \_\_\_\_\_ yards away from the protected person and their
- a.  home b.  job or workplace c.  vehicle d.  other protected person in item 3
- e.  other locations: school
14.  **Exceptions**  
Defendant may have peaceful contact with the protected persons named in items 2 and 3, as an exception to the no-contact and stay-away orders in items 12 and 13 of this order, only for the safe exchange of children and court-ordered visitation as stated in
- a.  the family, juvenile, or probate court order in (case number): \_\_\_\_\_ issued on (date): \_\_\_\_\_
- b.  any family, juvenile, or probate court order issued after the date this order is signed.
- The restrained and protected persons should always carry a certified copy of the most recent order issued by the family, juvenile, or probate court.
15.  **Electronic monitoring**  
Defendant must be placed on electronic monitoring for (specify length of time): \_\_\_\_\_  
(Not to exceed 1 year from the date of this order. Pen. Code, § 136.2(a)(1)(G)(iv), (i)(3).)
16.  **Other orders**

Executed on (date): Jul 2, 2024


  
JOHN C. PRO JUDICIAL OFFICER

DEFENDANT: Joseph Linares

CASE NUMBER:

CD303984

### Instructions for Law Enforcement

#### 1. Start Date and End Date of Order

This order starts on the date it was issued by a judicial officer.

This order ends as ordered in item 4 on page 1 of this order.

- Orders under Penal Code section 136.2(a) are valid as long as the court has jurisdiction over the case. They are not valid after imposition of a county jail or state prison commitment. (*People v. Stone* (2004) 123 Cal.App.4th 153.)
- Orders issued under Penal Code sections 136.2(i)(1) and 646.9(k) are valid for up to 10 years and may be issued by the court whether the defendant is sentenced to state prison, county jail, or subject to mandatory supervision or if imposition of sentence is suspended and the defendant is placed on probation.
- To terminate this protective order, courts should use form CR-165, *Notice of Termination of Protective Order in Criminal Proceeding (CLETS-CANCEL)*.

#### 2. Enforcing This Order in California

- This order must be enforced in California by any law enforcement agency that has received the order, or is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS).

#### 3. Conflicting Orders—Priority of Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Penal Code section 136.2 and Family Code sections 6383(h)(2), 6405(b)):

- **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
- **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item 12 is an example of a no-contact order.
- **Criminal Protective Order (CPO):** If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Penal Code section 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
- **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment) then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

### Peace Officer Firearm Prohibition Exemption

If a peace officer's employment and personal safety depend on the ability to carry a firearm, a court may grant an exemption that allows the officer to carry a firearm on or off duty, but only if the court finds, after a mandatory psychological examination of the peace officer, that the officer does not pose a threat of harm. (Code Civ. Proc., § 527.9(f).)

## CHARGES

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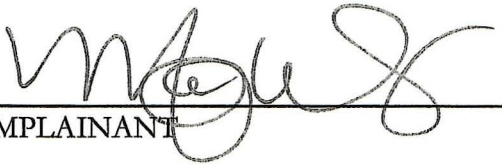
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Executed at City of San Diego, County of San Diego, State of California, on July 1, 2024.

  
\_\_\_\_\_  
COMPLAINANT



INFORMATION

SUMMER STEPHAN  
District Attorney  
County of San Diego  
State of California  
by:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy District Attorney

BAIL ONLY  
POWER AMOUNT  
\$55000.00

BANKERS INSURANCE COMPANY  
P.O. B 3015 • St. Petersburg, Florida 33733 • 877-778-5.  
POWER OF ATTORNEY

555318958-6

Bailassist@BankersFinancialCorp.com

KNOW ALL MEN BY THESE PRESENTS: that Bankers Insurance Company, a corporation duly organized and existing under the laws of the State of Florida, has made pursuant to Article IV, Section 11 of the By-Laws, which was adopted by the Directors of the said company, and is now in effect, does constitute and appoint, and by these presents does make, constitute and appoint below named agent its true and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-In-Fact is limited to appearance bonds. **This power must be filed with the court as a permanent court record to obligate the surety, for court appearances only, of the named Defendant. This power shall not obligate the surety for the Defendant's future lawful conduct, court imposed conditions, restrictions, or fines costs, restitution or any other circumstances not specifically related to court appearances.**

**This Power of Attorney is for use with Bail Bonds for State, County and Municipal Courts only. Not valid in Federal Court nor if used in connection with Federal Immigration Bonds. This power shall be void if its original format has been altered, if it exceeds the maximum amount listed, is used with other powers of this or any other surety company to cover one bond amount, or is used by an individual who is not authorized to execute surety bonds on behalf of Bankers Insurance Company.**

THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF THIS STATED FACE AMOUNT, 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.

IN WITNESS WHEREOF, BANKERS INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 23 day of JUN, 2024

Bond Amount \$ 56,000 - Appearance Date 7-2-24 Premium \$ 3500 -

Defendant Joseph Linares

BANKERS INSURANCE COMPANY

S.S.# \_\_\_\_\_ D.O.B. 7-25-02

Case # \_\_\_\_\_

Court Superior

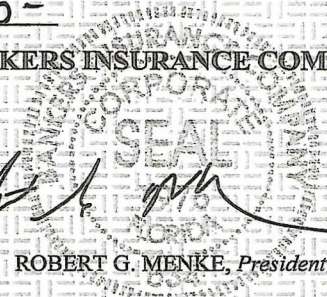
City San Diego State CA

Offense 422 (W) PC  
594 (B)(1) PC

If Rewrite, Original # \_\_\_\_\_

Executing Agent Gerald Ortiz

BIC992004-550522

  
ROBERT G. MENKE, President



DECEMBER 31, 2024

VOID IF NOT  
USED BY

IT IS UNLAWFUL TO PRINT THIS  
FORM WITHOUT WRITTEN  
CONSENT OF HOME OFFICE



**Bankers Insurance Company**

P.O. Box 33015 • St. Petersburg, Florida 33733-8015  
727 823 4000 • 877 778 5245 • Fax 727 803 4076

Affordably Easy Bail Bonds  
8528 N. Magnolia Ave. #106  
Santee CA, 92071  
BA Lic# 1846747  
619-252-1797

(PLACE BAIL AGENT'S ADDRESS STAMP HERE)

**BAIL BOND**

NO. 555318958-6  
(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.

Joseph Linares Defendant, DIV. NO. SDF

Defendant Joseph Linares (NAME OF DEFENDANT) 24725885 (BOOKING NO.)

having been admitted to bail in the sum of Fifty Thousand Dollars (\$ 50,000 ) and ordered to appear in the above-entitled court on 7-2-24 @ 1330 (DATE OF APPEARANCE), on 422(A) PC 594(B)(1) PC (STATE MISDEMEANOR OR FELONY) charge/s;

NOW, the BANKERS INSURANCE COMPANY, a Florida 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 filed and prosecuted, and will at all times hold him/herself amendable to the orders and process of the court and, if convicted, will appear for pronouncement of judgement or grant of probation; or if he/she fails to perform either of these conditions, that the BANKERS INSURANCE COMPANY, a Florida Corporation, will pay to the People of the state of California the sum of Fifty Thousand Dollars (\$ 50,000 )

If the forfeiture of this bond be ordered by the Court, Judgment may be summarily made and entered forthwith against the said BANKERS INSURANCE COMPANY, a Florida Corporation, for the amount of its undertaking herein as provided by Section 1305 and 1306 of the California Penal Code.

THIS BOND IS VOID IF WRITTEN FOR AN AMOUNT GREATER THAN THE POWER OF ATTORNEY ATTACHED HERETO, IF MORE THAN ONE SUCH POWER IS ATTACHED, OR IF WRITTEN AFTER THE EXPIRATION DATE AS SPECIFIED ON THE ATTACHED POWER OF ATTORNEY.

BANKERS INSURANCE COMPANY (SEAL)  
By \_\_\_\_\_ AGENT  
1976 FLORIDA 634

I certify under penalty of perjury that I am a licensed bail agent of the BANKERS INSURANCE COMPANY and that I am executing this bond on 23 JUN 24 (DATE) at Santee (LOCATION)

Quaid Ortiz (SIGNATURE OF LICENSED AGENT)

THE PREMIUM CHARGED FOR THIS BOND IS \$ 3500 Approved this 23<sup>rd</sup> day of JUNE, 2024 DIA 7595 (Title)

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.

SCD303784DA AFG07701

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL EAST NORTH SOUTH REVIEW HEARING

DATE 01-22-25 AT 01:30 M.

24725885

PRESENT: HON JOHN G. PRO, JUDGE PRESIDING, DEPARTMENT 1102

CLERK B. Delgado REPORTER T. Erwin CSR# 9685

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112

THE PEOPLE OF THE STATE OF CALIFORNIA

C. Johnson DEPUTY DISTRICT ATTORNEY / DEPUTY ATTORNEY GENERAL

LINARES VS. JOSEPH

R - L. JIMENEZ

DEFENDANT

ATTORNEY FOR DEFENDANT (PD / APD / OAC / RETAINED)

VIOLATION OF PC574(A)(B)(C) VC23103(A)/MI. P.O. S. Hermanson

ENH(S) INTERP. OATH ON FILE / SWN.

PRIOR(S) LANGUAGE 4th WIR

DEFENDANT PRESENT VIA AUDIO VIDEO SELF REPRESENTED NOT PRESENT PC977 NOT PRODUCED FAILED TO APPEAR

PROB. REV. DEFENDANT ADVISED OF RIGHTS AND ADMITS / DENIES A VIOLATION OF PROBATION WAIVES HRG.

PROBATION IS / REMAINS: FORMALLY / SUMMARILY REVOKED REINSTATED MODIFIED CONT. SAME CONDITIONS TERM. EXT. TO:

JUDGMENT WAIVES ARRAIGNMENT. ARRAIGNED FOR JUDGMENT. IMPOSITION / EXECUTION OF SENTENCE IS SUSPENDED.

PROBATION IS: DENIED GRANTED YEARS (FORMAL / TO COURT) TO EXPIRE CONVERTS TO PROB. TO COURT

COMMITMENT TO SHERIFF FOR DAYS. STAYED TO / PENDING SUCCESSFUL COMPL. OF PROBATION. PAROLE NOT TO BE GRANTED.

COMPLETE DAYS/HOURS COMMUNITY SERVICE SUBMIT PROOF TO PROBATION / COURT BY

4th WAIVER: IMPOSED / REMAINS DELETED. PROTECTIVE ORDER: ISSUED / REMAINS / MODIFIED / TERMINATED.

FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. WORK FURLOUGH, REPORT: TO 5600 OVERLAND AVE, SAN DIEGO, CA 8:00 A.M.

COMMITMENT TO CA. DEPT. OF CORRECTIONS & REHAB. DIVISION OF JUVENILE JUSTICE SAN DIEGO COUNTY SHERIFF (PC1170(h)/2057) ON COUNT CODE & NO. FOR LOWER / MIDDLE / UPPER / INDETERMINATE TERM OF YEARS / MONTHS / TO LIFE.

EXECUTION OF CONCLUDING DAYS MONTHS YEARS OF SENTENCE IS SUSPENDED, DURING WHICH TIME THE DEFT. SHALL BE SUBJECT TO MANDATORY SUPV. BY THE PROB. DEPT. (PC1170(h)(5)(b)). TERMS AND COND. SET FORTH IN THE ORDER GRANTING MANDATORY SUPV. (CRM-255).

PER PC1172.1 PER W11737 PRINCIPAL COUNT. STIPULATED SENTENCE. NO EARLY RELEASE AUTHORIZED. SENTENCE PER PC667(b)-(i)/1170.12

BOF 1022 FILED FIREARM RELINQUISHMENT FINDINGS MADE CR-210 FILED. DO NOT KNOWINGLY OWN, TRANSPORT, SELL, POSSESS, OR HAVE CUSTODY OR CONTROL OF ANY WEAPON, FIREARM, FIREARM PRECURSOR PART, AMMUNITION, AMMUNITION FEEDING DEVICE, OR BODY ARMOR.

NO VISITATION PER PC1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES.

TESTING: COMPLIANCE WITH PC296 VERIFIED. DNA (PC296) HIV (PC1202.1)

DEFENDANT ADVISED RE: PAROLE / APPEAL RIGHTS. REGISTER PER PC290 PC457.1 PC186.30

DEFENDANT TO PAY: FINE OF \$ INC. SURCHARGE/PENALTY ASSESSMENTS (PA), PLUS THE FOLLOWING:

DRUG PROGRAM FEE including PA (HS11372.7) \$ LAB ANALYSIS FEE including PA (HS11372.5) \$

THEFT FINE including PA (PC1202.5) \$ COURT OPERATIONS ASSESSMENT (PC1465.8) \$

CRIMINAL CONVICTION ASSESSMENT (GC70373) \$ SEX OFFENDER REG. FINE including PA (PC290.3) \$

PROB. HAVING BEEN FORMALLY REVOKED, THE PREVIOUS REST. FINE OF \$ SUSP. PER PC1202.44, IS NOW DUE.

RESTITUTION FINES \$ (PC1202.4(b)) FORTHWITH (PC2085.5) \$ (PC1202.44/PC1202.45) SUSPENDED UNLESS PROBATION/PAROLE/SUPERVISION REVOKED.

ALCOHOL AND DRUG TEST FEE (PC1463.14(b)) \$

RESTITUTION TO VICTIM(S) PER P.O.'S REPORT / RESTITUTION FUND (PC1202.4(f)) \$ PLUS 10% ANNUAL INTEREST ON UNSATISFIED AMOUNT (PC1202.4(f)(3)(G)) IN AN AMOUNT TO BE DETERMINED. JOINT & SEVERAL. ALL MONIES DUE PAYABLE AT COMBINED RATE OF \$ PER MONTH TO START 60 DAYS AFTER RELEASE / ON

REPORT TO PROBATION REVENUE & RECOVERY COURT COLLECTIONS FORTHWITH. WITHIN 72 HRS. OF RELEASE FROM CUSTODY.

FUTURE HEARINGS WAIVERS: TIME FOR JUDGMENT. PRESENCE FOR RESTITUTION HRG. REFERRED FOR DIAGNOSTIC EVAL. PER PC1203.03. / W107.2. CONT. TO / SET FOR AT IN DEPT. ON MOTION OF COURT / PEO. / DEFT. / PROB. OFFICER.

CUSTODY STATUS DEFT. REMANDED TO CUSTODY OF SHERIFF WITHOUT BAIL. WITH BAIL SET AT \$

MAY BE RELEASED TO REP. OF PD/PROB./MENTAL HEALTH PROVIDER/APPROVED RES. TREATMENT PROG. STAY/SERVE BAL. OF CUST. WHEN BED AVAIL.

AFTER CUSTODY. DEFENDANT REMAINS AT LIBERTY RELEASED: ON BAIL PREVIOUSLY POSTED ON PROBATION ON OR/SOR

ON MANDATORY SUPERVISION

BONDS / WARRANTS BENCH WARRANT TO ISSUE, BAIL SET AT \$ COUNSEL REPORTS NO CONTACT WITH DEFENDANT.

SERVICE FORTHWITH. ORDERED WITHHELD TO BENCH WARRANT ISSUED / ORDERED IS RECALLED / RESCINDED.

DECLARATION OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. BAIL FORF. IS SET ASIDE. BAIL REINSTATED EXONERATED FORFEITED

UPON PAYMENT OF COURT COST \$ WITHIN 30 DAYS. COST WAIVED. BOND AMT \$ BOND NO.

OTHER ALL PROPERTY IMPOUNDED, SEIZED, OR HELD IN CUSTODY IN THIS CASE TO BE DISPOSED OF PER POSSESSING AGENCY'S POLICY.

PROBATION: PREPARE SUPPLEMENTAL REPORT. / SUBMIT POST-SENT. REPORT TO CDCR PER PC1203c. SEE ATTACHED MINUTES FOR ADDITIONAL ORDERS.

CONCURRENT WITH / CONSECUTIVE TO: CLERK: DMV ABSTRACT B.A.C.

PROOF OF Driving course - CBT, Angela Mgmt, Dul prog. 3mm FirstCm. Prog. - employmt. Submitted to the court. Defense Request to reconsider allowing Defendant to drive is granted as long as defendant has proof of valid drivers license & insurance.

Distribution by on 1/22 to JAIL DEFT. CATTY. PROS. PROB. R&R. Other: has proof of valid drivers license & insurance.

BCD303984 DA

AFG07701

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DATE 01-15-25 AT 09:00 M.

24725985 [X] CENTRAL [ ] EAST [ ] NORTH [ ] SOUTH PC1203.7 PROB TRNSFR

PRESENT: HON ROBERT F. O'NEILL JUDGE PRESIDING, DEPARTMENT F1

CLERK D. Rodriguez REPORTER N/R CSR# REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112

THE PEOPLE OF THE STATE OF CALIFORNIA VS. JOSEPH LINARES DEFENDANT CT.1 CT.2 DEPUTY DISTRICT ATTORNEY / DEPUTY ATTORNEY GENERAL / COUNTY COUNSEL R. L. JIMENEZ N/P ATTORNEY FOR DEFENDANT (PD / APD / OAC / RETAINED) / BAIL BOND AGENCY / SURETY

VIOLATION OF PC594(A)(B)(1) VC23103(A) MISP P.O. ALLEG(S) INTERP. OATH ON FILE / SWN. PRIOR(S) RR: 01-22-25 @ 1:30 D.1102 LANGUAGE 4TH WVR, DRIVER'S LICENSE SUSPEN DEF. DEFENDANT [ ] PRESENT [ ] VIA AUDIO / VIDEO [ ] SELF-REPRESENTED [ ] NOT PRESENT [ ] AFFIDAVIT REQUESTED [ ] NOT PRODUCED

LAW AND MOTION [ ] TRIAL DATE [ ] READINESS DATE REMAINS AS SET / CONFIRMED / VACATED. [ ] COUNSEL & DEFENDANT STIPULATE TO PRELIMINARY / GRAND JURY TRANSCRIPT AS FACTUAL BASIS FOR PC995 / PC1538.5 MOTION. [ ] DEFENDANT'S MOTION TO DISMISS PURSUANT TO PC995 IS [ ] GRANTED [ ] DENIED [ ] TAKEN UNDER SUBMISSION. [ ] GRANTED AS TO: [ ] DENIED AS TO: [ ] DEFENDANT'S MOTION TO SUPPRESS EVIDENCE PER PC1538.5 IS [ ] GRANTED [ ] DENIED [ ] TAKEN UNDER SUBMISSION. [ ] GRANTED AS TO: [ ] DENIED AS TO: [ ] PEOPLE'S / DEFENDANT'S MOTION FOR DISCOVERY IS [ ] GRANTED [ ] DENIED [ ] TAKEN UNDER SUBMISSION. [ ] GRANTED AS TO: [ ] DENIED AS TO: [ ] BAIL BOND AGENCY'S MOTION TO REINSTATE AND EXONERATE BAIL BOND [ ] WITH [ ] WITHOUT OPPOSITION BY THE PEOPLE IS [ ] GRANTED [ ] DENIED. [ ] STIPULATION FOR ENTRY OF JUDGMENT SIGNED AND FILED. [ ] STATUTE IS TOLLED FOR A PERIOD OF [ ] DAYS [ ] MONTHS. [ ] DEFENDANT'S PETITION FOR DISMISSAL PURSUANT TO PC1203.4 IS [ ] GRANTED [ ] DENIED [ ] TAKEN UNDER SUBMISSION. [ ] ORDER SIGNED AND FILED. [ ] PRIOR CONVICTION SET ASIDE, NOT GUILTY PLEA ENTERED. CHARGES DISMISSED PURSUANT TO PC1203.4. [ ] DEFENDANT'S MOTION FOR REDUCTION OF COUNT [ ] TO A MISDEMEANOR IS [ ] GRANTED [ ] DENIED [ ] TAKEN UNDER SUBMISSION. [X] MOTION FOR (OUTGOING) JURISDICTIONAL TRANSFER PURSUANT TO PC1203.9 IS [ ] GRANTED [ ] SUPPLEMENTAL ORDER SIGNED AND FILED. [X] DENIED - REASON: Defendant intends to reside in La Jolla, California will not be residing in Riverside County [ ] CASE AND JURISDICTION TO BE TRANSFERRED TO THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF [ ] IN LA JOLLA, CALIFORNIA [ ] DEFENDANT IS ORDERED TO REPORT TO THE PROBATION DEPT. IN THE RECEIVING COUNTY WITHIN 30 / [ ] DAYS [ ] BALANCE OF VICTIM RESTITUTION, FINES, AND FEES THAT REMAIN DUE ARE DOCUMENTED ON THE PAYMENT AUDIT FORM ATTACHED. BALANCE TO BE PAID THROUGH THE LOCAL COLLECTION ENTITY OF THE RECEIVING COURT. [ ] INCOMING JURISDICTIONAL TRANSFER PURSUANT TO PC1203.9 IS [ ] ACCEPTED [ ] REFUSED - REASON: [ ] ORDER GRANTING PROBATION IS SIGNED AND FILED. [ ] OFFICE OF PUBLIC DEFENDER / [ ] APPOINTED [ ] RELIEVED. [ ] MOTION OFF CALENDAR WITH / WITHOUT PREJUDICE.

Table with 5 columns: PEO. DEFT., WITNESSES SWORN & EXAMINED, P,D,C NO., EXHIBIT DESCRIPTION, MRKD, RCVD. Contains checkboxes for each row.

PROBATION [X] PROBATION IS [ ] MODIFIED [X] CONTINUED, SAME TERMS AND CONDITIONS.

FUTURE HEARINGS [ ] DEFENDANT WAIVES STATUTORY TIME FOR TRIAL. CONTINUED TO / SET FOR [ ] AT [ ] IN DEPT. [ ]

ON MOTION OF COURT / DDA / DEFENDANT. REASON: TRIAL DATE [ ] REMAINS AS SET / CONFIRMED / VACATED. READINESS DATE [ ] REMAINS AS SET / VACATED. READINESS CONTINUED TO / SET FOR [ ] AT [ ] IN DEPT. [ ] MOTIONS DUE [ ] DAYS LEFT [ ]

CUSTODY STATUS [ ] DEFENDANT REMANDED TO CUSTODY OF SHERIFF [ ] WITHOUT BAIL [ ] BAIL SET AT / REDUCED / INCREASED TO \$ [ ] PC1275.1 HOLD. [ ] DEFENDANT ORDERED RELEASED FROM CUSTODY THIS CASE ONLY [ ] ON OWN/SUPERVISED RECOGNIZANCE [ ] CASE DISMISSED. [ ] DEFENDANT TO REMAIN AT LIBERTY [ ] ON BOND POSTED \$ [ ] ON PROBATION. [ ] ON OWN/SUPERVISED RECOGNIZANCE. [ ] 4TH AMENDMENT WAIVER: IMPOSED / REMAINS IN EFFECT. / DELETED. [ ] PROTECTIVE ORDER: ISSUED / REMAINS IN EFFECT. / MODIFIED / TERMINATED.

BONDS/WARRANTS [ ] BENCH WARRANT TO ISSUE, BAIL SET AT \$ [ ] COUNSEL REPORTS NO CONTACT WITH DEFENDANT. [ ] SERVICE FORTHWITH [ ] ORDERED WITHHELD TO [ ] BENCH WARRANT ISSUED/ORDERED [ ] IS RECALLED/RESCINDED/REMAINS OUTSTANDING. [ ] DECL. OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. [ ] BAIL FORF. IS SET ASIDE. [ ] BAIL [ ] REINSTATED [ ] EXONERATED [ ] FORFEITED [ ] UPON PAYMENT OF COURT COST \$ [ ] WITHIN 30 DAYS. [ ] COST WAIVED. BOND AMT \$ [ ] BOND NO. [ ] BOND COMPANY [ ] AGENT [ ]

OTHER

Date: [ ] ATTEST A TRUE COPY, Clerk of the Superior Court by [ ] Deputy Distribution by [ ] on [ ] to JAIL DEFT. ATTY. PRDS. PROB. R&R ACCT. Other: [ ]



BUND: \$30,000

SCD303984 DA AFG07701

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DATE 09-19-24 AT 01:30 M.

24725885 CENTRAL

EAST NORTH SOUTH PROB HEAR-SENTENCING

PRESENT: HON POLLY H. SHAMOON, JUDGE PRESIDING, DEPARTMENT 1102

CLERK T. Cruz

M. Ramirez, CSR 11674

REPORTER

CSR#

REPORTER'S ADDRESS: P.O. BOX 20128, SAN DIEGO, CA 92112

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

DEPUTY DISTRICT ATTORNEY / DEPUTY ATTORNEY GENERAL

LINARES VS. JOSEPH

R - L. JIMENEZ

DEFENDANT

ATTORNEY FOR DEFENDANT (PD / APD / OAC) RETAINED

VIOLATION OF PC594(A)(B)(1) VC23103(A)(M)

P.O. S. Hermanson

ENH(S) INTERP. OATH ON FILE / SWN. PRIOR(S) LANGUAGE CPO

DEFENDANT PRESENT VIA AUDIO VIDEO SELF REPRESENTED NOT PRESENT PC977 NOT PRODUCED FAILED TO APPEAR

PROB. REV. DEFENDANT ADVISED OF RIGHTS AND ADMITS / DENIES A VIOLATION OF PROBATION WAIVES HRG.

PROBATION IS / REMAINS: FORMALLY / SUMMARILY REVOKED REINSTATED MODIFIED CONT. SAME CONDITIONS TERMED EXT. TO:

JUDGMENT WAIVES ARRAIGNMENT. ARRAIGNED FOR JUDGMENT. IMPOSITION / EXECUTION OF SENTENCE IS SUSPENDED.

PROBATION IS: DENIED GRANTED 2 YEARS (FORMAL / TO COURT) TO EXPIRE CONVERTS TO PROB. TO COURT

COMMITMENT TO SHERIFF FOR 90 DAYS. STAYED TO / PENDING SUCCESSFUL COMPL. OF PROBATION. PAROLE NOT TO BE GRANTED.

COMPLETE DAYS/HOURS COMMUNITY SERVICE SUBMIT PROOF TO PROBATION / COURT BY

4TH WAIVER: IMPOSED. / REMAINS. / DELETED. PROTECTIVE ORDER: ISSUED. REMAINS / MODIFIED. / TERMINATED.

FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. WORK FURLOUGH, REPORT: TO 5600 OVERLAND AVE, SAN DIEGO, CA 8:00 A.M.

COMMITMENT TO CA. DEPT. OF CORRECTIONS & REHAB. DIVISION OF JUVENILE JUSTICE SAN DIEGO COUNTY SHERIFF (PC1170(h)/2057) ON COUNT CODE & NO. FOR LOWER / MIDDLE / UPPER / INDETERMINATE TERM OF YEARS / MONTHS / TO LIFE.

EXECUTION OF CONCLUDING DAYS MONTHS YEARS OF SENTENCE IS SUSPENDED, DURING WHICH TIME THE DEFT. SHALL BE SUBJECT TO MANDATORY SUPV. BY THE PROB. DEPT. (PC1170(h)(5)(b)). TERMS AND COND. SET FORTH IN THE ORDER GRANTING MANDATORY SUPV. (CRM-255).

PER PC1172.1 PER W11737 PRINCIPAL COUNT. STIPULATED SENTENCE. NO EARLY RELEASE AUTHORIZED. SENTENCE PER PC667(b)-(i)/1170.12

BOF 1022 FILED FIREARM RELINQUISHMENT FINDINGS MADE CR-210 FILED. DO NOT KNOWINGLY OWN, TRANSPORT, SELL, POSSESS, OR HAVE CUSTODY OR CONTROL OF ANY WEAPON, FIREARM, FIREARM PRECURSOR PART, AMMUNITION, AMMUNITION FEEDING DEVICE, OR BODY ARMOR.

NO VISITATION PER PC1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES.

TESTING: COMPLIANCE WITH PC296 VERIFIED. DNA (PC296) HIV (PC1202.1)

DEFENDANT ADVISED RE: PAROLE / APPEAL RIGHTS. REGISTER PER PC290 PC457.1 PC186.30

DEFENDANT TO PAY: FINE OF \$ 820 INC. SURCHARGE/PENALTY ASSESSMENTS (PA), PLUS THE FOLLOWING:

DRUG PROGRAM FEE including PA (HS11372.7) \$ LAB ANALYSIS FEE including PA (HS11372.5) \$

THEFT FINE including PA (PC1202.5) \$ 41 SDRP COURT OPERATIONS ASSESSMENT (PC1465.8) \$ 80

CRIMINAL CONVICTION ASSESSMENT (GC70373) \$ 60 SEX OFFENDER REG. FINE including PA (PC290.3) \$

PROB. HAVING BEEN FORMALLY REVOKED, THE PREVIOUS REST. FINE OF \$ SUSP. PER PC1202.44, IS NOW DUE.

RESTITUTION FINES \$ 300 (PC1202.4(b)) FORTHWITH (PC2085.5)

ALCOHOL AND DRUG TEST FEE (PC1463.14(b)) \$

\$ 300 (PC1202.44/PC1202.45) SUSPENDED UNLESS PROBATION/PAROLE/SUPERVISION REVOKED.

RESTITUTION TO VICTIM(S) PER P.O.'S REPORT / RESTITUTION FUND (PC1202.4(f)) \$ PLUS 10% ANNUAL INTEREST ON UNSATISFIED AMOUNT (PC1202.4(f)(3)(G)) IN AN AMOUNT TO BE DETERMINED. JOINT & SEVERAL. ALL MONIES DUE PAYABLE AT COMBINED RATE OF \$ 50 PER MONTH TO START 60 DAYS AFTER RELEASE / ON

REPORT TO PROBATION REVENUE & RECOVERY COURT COLLECTIONS FORTHWITH. WITHIN 72 HRS. OF RELEASE FROM CUSTODY.

FUTURE HEARINGS WAIVERS: TIME FOR JUDGMENT. PRESENCE FOR RESTITUTION HRG. REFERRED FOR DIAGNOSTIC EVAL. PER PC1203.03. / W107.2.

CONT. TO / SET FOR 1/22/25 AT 1:30 IN DEPT. 1102 ON MOTION OF COURT / PEO. / DEFT. / PROB. OFFICER.

CUSTODY STATUS DEFT. REMANDED TO CUSTODY OF SHERIFF WITHOUT BAIL. WITH BAIL SET AT \$

MAY BE RELEASED TO REP. OF PD/PROB./MENTAL HEALTH PROVIDER/APPROVED RES. TREATMENT PROG. STAY/SERVE BAL. OF CUST. WHEN BED AVAIL.

AFTER CUSTODY. DEFENDANT REMAINS AT LIBERTY RELEASED: ON BAIL PREVIOUSLY POSTED ON PROBATION ON OR/SOR

ON MANDATORY SUPERVISION

BONDS / WARRANTS BENCH WARRANT TO ISSUE, BAIL SET AT \$ COUNSEL REPORTS NO CONTACT WITH DEFENDANT.

SERVICE FORTHWITH. ORDERED WITHHELD TO BENCH WARRANT ISSUED / ORDERED IS RECALLED / RESCINDED.

DECLARATION OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. BAIL FORF. IS SET ASIDE. BAIL REINSTATED EXONERATED FORFEITED

UPON PAYMENT OF COURT COST \$ WITHIN 30 DAYS. COST WAIVED. BOND AMT \$ BOND NO.

OTHER ALL PROPERTY IMPOUNDED, SEIZED, OR HELD IN CUSTODY IN THIS CASE TO BE DISPOSED OF PER POSSESSING AGENCY'S POLICY.

PROBATION: PREPARE SUPPLEMENTAL REPORT. / SUBMIT POST-SENT. REPORT TO CDCR PER PC1203c. SEE ATTACHED MINUTES FOR ADDITIONAL ORDERS.

CONCURRENT WITH / CONSECUTIVE TO: CLERK: DMV ABSTRACT B.A.C.

Do not drive. Driver's license is suspended until further court order. The court recommends for the defendant to be evaluated by

Date: 9/19/2024 ATTEST A TRUE COPY, Clerk of the Superior Court by

Distribution by MTC to JAIL DEFT. ATTY. PROS. PROB. R&R. Other: Deputy

Team about the medications out jail

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b> <input type="checkbox"/> CENTRAL DIVISION, COUNTY COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., SUITE500, VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910		<b>FOR COURT USE ONLY</b> <b>F I L E D</b> Clerk of the Superior Court <b>September 19, 2024</b> <b>15:36:05</b>  T. Cruz
PEOPLE OF THE STATE OF CALIFORNIA, Vs.	Plaintiff  Defendant	
<b>JOSEPH LINARES</b>		
PROB ID # <b>21594571</b>	P.O. NAME: <b>KRISTOPHER MALABAD</b>	CASE # <b>SCD303984</b>
CII #	WORK LOCATION: <b>Hall of Justice</b>	DA # <b>AFG07701</b>
BK # <b>24725885A</b>	MAIL STATION: <b>C-96</b> <input type="checkbox"/> Probation Transfer (PC 1203.9)	DEPT # <b>1102</b>
<b>ORDER GRANTING FORMAL PROBATION</b>		

The defendant having been convicted of violating § Ct 1 PC594(a)(b)(1), and Ct 2 VC23103(a)misdemeanor, it is ordered that  imposition of sentence be suspended /  execution of sentence of \_\_\_\_\_ years/months in state prison be suspended, for 2 years, and the defendant be granted formal probation;  to convert to felony probation to the court upon successful completion of 18 months probation if approved by Probation Officer (P.O.); any felony subject to PC17(b) to remain a felony. The following are the terms and conditions of probation.

**1. COMMITMENT:**

- a.  To Sheriff for 90 day(s), with credit for: 2 local day(s), \_\_\_\_\_ State Inst. days, 2 PC4019 days  [2/4]  [2/2] \_\_\_\_\_ PC4019(b)(1)/(c)(1) days, \_\_\_\_\_ PC4019(b)(2)/(c)(2) days, for a total of 4 day(s) credit for time served.  
 Defendant may be released after \_\_\_\_\_ actual days to an authorized representative of \_\_\_\_\_  
 Custody is stayed pending successful completion of  probation  \_\_\_\_\_
- b.  Commit Recommendations:  The Electronic Surveillance Program - Call (858) 514-8477 within 72 hours.  Probation RRC / Work Furlough - Defendant to report \_\_\_\_\_ at \_\_\_\_\_ to 5600 Overland Dr., Ste. 190,, San Diego
- c.  Custody to be served consecutive to / concurrent with \_\_\_\_\_

**2. THE DEFENDANT SHALL PAY:  TOTAL DUE \$ 4,687.21, comprised of the following:**

- a.  FINE of \$820  Stayed including surcharge and penalty assessment (PA) (PC1465.7(a)), PLUS: Stayed = Stayed pending successful completion of prob.
- b.  Court Operations Assessment \* (PC1465.8) \$ 80
- c.  Criminal Conviction Assessment\* (GC70373) \$ 60
- d.  Criminal Justice Admin. Fee (GC29550 et seq.) \$ \_\_\_\_\_
- e.  Installment/AR Acct. fee\* (PC1205(e)) \$ \_\_\_\_\_
- f.  Admin Screening Fee (PC1463.07) \$ \_\_\_\_\_
- g.  Drug Program Fee (HS11372.7) \$ \_\_\_\_\_
- h.  Alcohol/Drug Assess. Prog. Fee (PC1463.13 (non-DUI)) \$ \_\_\_\_\_
- i.  Lab Analysis Fee (HS11372.5) \$ \_\_\_\_\_
- j.  Alcohol/Drug Assess. Prog. Fee (VC23649 (DUI)) \$ \_\_\_\_\_
- k.  Domestic Violence Fund Fee (PC1203.097) \$ \_\_\_\_\_
- l.  Alcohol Prevention and Abuse PA (VC23645) \$ \_\_\_\_\_
- m.  AIDS Education Fine including PA \$ \_\_\_\_\_  Stayed
- n.  Sex Offender Reg. Fine (PC290.3) including PA \$ \_\_\_\_\_  Stayed o.  Child Abuse Restitution Fine (PC294) \$ \_\_\_\_\_  Stayed
- p.  Theft Fine (PC1202.5) incl. PA \$ 41 (LEA\_SDPD) q.  Emerg. Med. Air Transport Fee (GC76000.10) \$ \_\_\_\_\_
- r.  Restitution Fine (PC1202.4(b)) \$ 300  plus 10% (PC1202.4(l) [county collection fee]) \$ \_\_\_\_\_
- s.  Probation Revocation Restitution Fine (PC1202.44) \$ 300 SUSPENDED unless probation is revoked.
- t.  Restitution of \$3386.21  to victim(s) per P.O.'s report plus 10% annual interest on unsatisfied amount (PC1202.4(f)(3)(G))  
 Plus 15% (county collection fee [PC1203.1(l)]) \$ \_\_\_\_\_  
 To Victim Compensation Program (Restitution Fund) plus 10% annual interest on unsatisfied amount (PC1202.4(f)(3)(G))  
 Victim Oliver Shi \$ 3386.21  
 Victim \_\_\_\_\_ \$ \_\_\_\_\_
- u.  Restitution joint and several with the co-defendant(s) \_\_\_\_\_
- v.  \$ \_\_\_\_\_ of fine to be paid by  \_\_\_\_\_ days / hours of  PSP  Volunteer Work /  Credit for time served
- w.  All fines and restitution are to be paid to  Probation through Revenue & Recovery  Court Collections at the combined rate of \$ 50 per month. Payments are to start  60 days after release from custody  on \_\_\_\_\_.
- x.  All payments to be applied to victim restitution first.
- y.  Restitution to be  determined if the victim reports a loss  modified by further court order if the victim reports further loss.
- z.  \_\_\_\_\_

\*Not a condition of probation

**3. UNDOCUMENTED DEFENDANT CONDITIONS:** An undocumented defendant shall:

- a.  Not knowingly enter or be in the United States without proper documentation of lawful presence.
- b.  Report to P.O. within 72 hours of entry, legal or illegal, into the United States.
- c.  Report any change of immigration status to P.O. within 72 hours.

**4. EXTRADITION WAIVER:**  Deft. waives extradition and agrees NOT to contest any extradition to California from any other state, government, country, or jurisdiction. The waiver is in effect from today through the duration of probation, including periods of revocation.

<b>DEFENDANT:</b> <b>JOSEPH LINARES</b>	<b>PROBATION #</b> <b>21594571</b>	<b>CASE #</b> <b>SCD303984</b>
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- 5. PROBATION DEPARTMENT PUBLIC SERVICE PROGRAM (PSP) / VOLUNTEER WORK:**
- a.  Work \_\_\_\_\_ day(s) in PSP. Enroll in person within 60 days at one of the following locations or as directed by the court:
- |   |  |  |  |  |
|---|--|--|--|--|
| Vista Probation<br>325 S. Melrose Dr. #2600<br>Vista Courthouse<br>(760) 806-2333 | El Cajon Probation<br>250 E. Main St. - 8 <sup>th</sup> Fl.<br>El Cajon Courthouse<br>(619) 441-3441 | PSP Work Project Office<br>5600 Overland Dr., Ste. 190330<br>San Diego<br>(858) 560-3258 * | Downtown Probation<br>190330 W. Broadway #557<br>San Diego<br>(619) 515-8203 | South Bay Probation<br>1095 Bay Blvd.<br>Chula Vista<br>(619) 498-2111 |
|---|--|--|--|--|
- Report for work to the PSP Work Project Office as directed at enrollment.  Work to be completed by: \_\_\_\_\_
- b.  The defendant may work in another county. c.  Complete up to 20 days PSP, if directed by the P.O.
- d.  Complete \_\_\_\_\_ hours of vol. work at a nonprofit org. by \_\_\_\_\_, with written proof to the P.O. / court by \_\_\_\_\_.

- 6. THE DEFENDANT SHALL:**
- a.  Obey all laws. Minor traffic infractions will not affect probation status.
- b.  Follow such course of conduct that the P.O. communicates to defendant.
- c.  Register per  HS11590  PC290  PC457.1  PC186.30. d.  Not knowingly possess a firearm, ammunition, or deadly weapon.
- e.  Comply with a curfew if so directed by the P.O. f.  Have a photo ID card on his/her person at all times.
- g.  Have no contact with the co-defendant(s). h.  Provide DNA samples as directed by Sheriff or P.O. (PC296).
- i.  Report to the P.O. as directed / within 72 hours of any release from custody. If homeless, report to the nearest probation office in San Diego County within 72 hours. Thereafter, report in person the first day of each month until directed to do otherwise.
- j.  Report any change of address or employment to the P.O. and Revenue & Recovery / Court Collections within 72 hours.
- k.  Provide true name, address, and date of birth if contacted by law enforcement. Report contact or arrest in writing to the P.O. within 7 days. Include the date of contact/arrest, charges, if any, and the name of the law enforcement agency.
- l.  Obtain:  P.O.'s consent before leaving San Diego county.  court's and P.O.'s written consent before moving out of state.
- m.  Be permitted to travel to or reside in \_\_\_\_\_  if approved by interstate compact.
- n.  Submit person, vehicle, residence, property, personal effects, computers, and recordable media \_\_\_\_\_ to search at any time with or without a warrant, and with or without reasonable cause, when required by P.O. or law enforcement officer.
- o.  Seek and maintain full-time employment, schooling, or a full-time combination thereof if directed by the P.O.
- p.  Not knowingly maintain a checking/charge account or be in possession of checks/credit/access cards unless issued in their own name.
- q.  Not knowingly use/possess any stolen, forged, counterfeit or fraudulent documents.
- r.  Participate and comply with any assessment program if directed by the P.O.
- s.  Any contraband seized by Probation Dept. to be destroyed or retained by Probation for education purposes, at their discretion.

**CONDITIONS LISTED IN SECTIONS 7, 8, 9, 10, 11, 12, AND 13 ARE NORMALLY IMPOSED IN CASES INVOLVING SPECIFIED OFFENSES, E.G., DRUGS, ALCOHOL, ETC., BUT MAY BE IMPOSED FOR OTHER OFFENSES IF REASONABLE AND LAWFUL.**

- 7. TREATMENT, THERAPY, COUNSELING:**
- a.  Take psychotropic medications if prescribed / ordered by doctor.
- b.  Participate in treatment, therapy, counseling, or other course of conduct as suggested by validated assessment tests.
- c.  Provide written authorization for the P.O. to receive progress and compliance reports from any medical/mental health care provider, or other treatment provider rendering treatment/services per court order under the terms of this grant of probation.
- d.  Attend and successfully complete  Psychiatric-IF  Individual-IF  Group-IF  Substance Abuse  Dual Diagnosis-IF  Anti-Theft  cognitive behavior  -IF counseling program approved by the P.O.,  as /  if directed by the P.O. Authorize the counselor to provide progress reports to the probation officer or court when requested; all costs to be borne by defendant.

- 8. ALCOHOL CONDITIONS:**
- a.  Attend and complete a DUI Victim Impact Panel  as /  if directed by the P.O.
- b.  Do not knowingly use or possess alcohol if directed by the P.O. c.  Attend 'Self-help' meetings  as /  if directed by the P.O.
- d.  Enroll within 30 days and satisfactorily complete the  First Conviction Program (3 month / 9 month)  Multiple Conviction Program (SB38) as directed by the P.O. / court. All costs are to be borne by the defendant.
- e.  Take antabuse (if physically able, as determined by a licensed physician) if directed by the P.O. and continue in the program until excused. If not physically able to take antabuse, submit a written statement from physician verifying inability to do so.
- f.  Submit to any chemical test of blood, breath, or urine to determine blood alcohol content and authorize release of results to P.O. or the court whenever requested by the P.O., a law enforcement officer, or the court ordered treatment program,
- g.  Surrender your driver license now to the court for forwarding to DMV per VC13350-51 / 13352 / 13357 / 13202(b). (Circle one)
- h.  Do not be in places, except in the course of employment, where you know, or a P.O. or other law enforcement officer informs you, that alcohol is the main item for sale.
- i.  Do not drive a motor vehicle unless licensed and insured as required by the State of California.
- j.  Participate in, comply with, and bear all costs associated with a continuous alcohol monitoring device if directed by the P.O.

- 9. DRUG CONDITIONS:**
- a.  Complete a program of residential treatment and aftercare  as /  if directed by the probation officer.
- b.  Complete the county AIDS Education Course per PC1001.10. Call Provider at \_\_\_\_\_ within 30 days of release from custody or issuance of order to enroll, unless course is completed while defendant is in custody.
- c.  Do not knowingly use or possess any controlled substance without a valid prescription and submit a valid sample for testing for the use of controlled substances/alcohol when required by the P.O., law enforcement officer, or treatment provider.

<b>DEFENDANT:</b> <b>JOSEPH LINARES</b>	<b>PROBATION #</b> <b>21594571</b>	<b>CASE #</b> <b>SCD303984</b>
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- 10. VIOLENCE AND SEX CONDITIONS:**
- a.  Do not unlawfully use force, threats, or violence on another person.
- b.  Attend and successfully complete counseling program(s):  Individual-IF  Anger Mgmt.-IF  Sex Offender  Stalker  
 Parenting  Elder Abuse  52-Week Child Abuse per PC273.1  
 Probation Dept. Certified 52-Week Batterer's Program per PC1203.097(a)(5)\*\* ,  as /  if directed by the P.O. Authorize the counselor to provide progress reports to the P.O. when requested. All costs are to be borne by defendant.  
\*\* Court Review Hearing set on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_
- c.  Submit to service and comply with any order of the Superior Court, including restraining orders.
- d.  Comply with any protective order issued pursuant to PC136.2 / PC1203.097(a)(2).
- e.  Submit to PC1202.1 testing by:  SDSO/Work Furlough, prior to release;  San Diego County Health at \_\_\_\_\_.
- f.  Be responsible for all medical/psychological therapy expenses incurred by the victim pursuant to PC1203.1g.
- g.  Obtain P.O. approval as to  residence  employment  contact with your children.
- h.  Undergo periodic polygraph examinations at the direction of the P.O. with the results of those tests released to the P.O. Polygraph questions shall be limited to items which are relevant to the crime(s) for which the defendant was convicted and shall assist with supervision, treatment, and rehabilitative efforts. All associated costs to be borne by the defendant.
- i.  Do not knowingly contact \_\_\_\_\_ except per family court orders regarding visitation and/or custody of children.
- j.  Do not knowingly contact or attempt to contact , annoy, or molest, either directly or indirectly Oliver Shi.
- k.  Do not knowingly associate with minors, nor be in places where you know, or your P.O. or other law enforcement officer informs you, that minors congregate, unless with an adult approved by the P.O.
- l.  Do not reside with the victim unless approved by therapist, victim's therapist, victim's non-offending parent or guardian, and P.O.
- m.  Do not contact the victim unless approved by therapist, victim's therapist, victim's non-offending parent or guardian, and P.O.
- n.  Do not knowingly purchase/possess a camera or photographic equipment.
- o.  Do not knowingly possess/have in your home toys, video games, or similar items that you know, or your P.O. or other law enforcement officer informs you, attract children.
- p.  Do not knowingly possess any pornographic material, including computer files and disks, or knowingly be in places where you know, or a P.O. or other law enforcement officer informs you, that pornographic materials are the main item for sale.
- q.  Do not participate in computer chat rooms or otherwise knowingly contact minors, or persons you believe to be minors, via computer.
- r.  Do not knowingly use or have in your possession any computer or other electronic device, including a mobile phone with Internet access, without prior approval of your P.O.

- 11. CONTINUOUS ELECTRONIC MONITORING/GPS:**
- a.  Participate in Global Positioning System (GPS) monitoring  as mandated by PC1202.8(b)  if directed by a P.O.
- b.  Comply with all zone and curfew restrictions, GPS charging requirements and equipment care if participation directed by P.O.
- c.  Reimburse the Probation Department \$ \_\_\_\_\_ (up to \$2500.00) to cover replacement costs in the event that the GPS equipment is not returned, is lost, stolen, or damaged in any manner.

- 12. OTHER CONDITIONS:**
- a.  Do not appear in court or at the courthouse unless you are a party or witness in the proceedings.
- b.  Do not associate with any person who you know, or who a P.O. or other law enforcement officer informs you, is a \_\_\_\_\_ gang member. "Gang" means a "criminal street gang" as defined in Pen. Code 186.22(e) and (f). c.  Do not knowingly visit / frequent any school grounds unless you are a student registered at the school. This condition may be modified by the P.O. who will inform you of any modification. d.  Do not knowingly be an occupant in a stolen vehicle. e.  Do not knowingly display any gang signs or gestures.
- f.  Do not knowingly own, transport, sell, or possess any weapon, firearm, replica firearm or weapon, ammunition, or any instrument used as a weapon. g.  Do not remain in any building, vehicle or in the presence of any person where you know a firearm, deadly weapon, or ammunition exists. h.  Do not knowingly be within two blocks of \_\_\_\_\_ (an area of gang or criminal activity). "Gang" means any "criminal street gang" as defined by Pen. Code 186.22(e) and (f).
- i.  Do not knowingly wear, display, use, or possess any insignias, photographs, emblems, badges, buttons, caps, hats, jackets, shoes, flags, scarves, bandanas, shirts, or other articles of clothing evidencing affiliation with / membership in the \_\_\_\_\_ gang.

- 13. WELFARE FRAUD CONDITIONS:**
- a.  Cooperate with the District Attorney's Office or any county agency in locating the other parent(s) of the defendant's children.
- b.  Victim restitution is to be disbursed to the Department of Public Welfare in DPW case \_\_\_\_\_.
- c.  Restitution payments may be satisfied by recoupment at rate set by the Department or by Social Services.
- d.  Restitution payments are to increase to \$ \_\_\_\_\_ per month on \_\_\_\_\_.
- e.  Attend Debtor's Anonymous meetings once a week for six months. Call (619) 525-3065 for meeting schedule. Provide proof of attendance and spending plan to the probation officer/to the court at the Review Hearing.

- 14. FURTHER CONDITIONS:**
- a.  Participate in a substance use level of care assessment within 7 business days if directed by PO.
- b.  Enroll in & adhere to substance use treatment & recovery services, as clinically indicated if directed by PO.
- c.  No marijuana use at all even with a card / recommendation / prescription.

DEFENDANT: <b>JOSEPH LINARES</b>	PROBATION # <b>21594571</b>	CASE # <b>SCD303984</b>
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**15. ORDER RE PROBATION COSTS:**

- You are ordered to cooperate with the probation officer or their authorized representative as directed, in the completion of the financial evaluation required under PC1203.1b. If it is determined that you have the present ability to repay the county for all or any part of the costs of the pre-sentence investigation and/or costs of probation supervision, the county will request that a judgment be issued against you for these amounts. If you do not agree with the determination, you have a right to a hearing before the court for a decision on your present ability. Failure to report and cooperate in the financial evaluation within 180 days of the date of this order will be deemed a waiver of your right to such a hearing, and a civil judgment will be entered against you for the amount of the funds expended for the above services. These costs are presently set at \$\_\_\_\_\_ for the pre-sentence investigation and up to \$\_\_\_\_\_ per month for probation supervision. Payment of any costs so determined shall be to Revenue and Recovery. Payment is not a condition of probation but any judgment obtained may be enforced in the manner of any civil judgment.
- Costs stayed pending successful completion of probation.  Presentence investigation report fee deleted.

**16. THE COURT FINDS THAT THE VALUE OF APPOINTED ATTORNEY SERVICE IS:**

- \$570.00 \$\_\_\_\_\_ (Class III)  \$1,140.00 (Class IV)  \$9,137.00 (Class V) for services provided by the following agency:
- Public Defender  Alternate Public Defender  Office of Assigned Counsel
- Costs stayed pending successful completion of probation.

**17. REPORT TO REVENUE AND RECOVERY (R&R):**

- You are ordered to report to R&R within 20 days of the date of this order for a determination of your present ability to pay the cost of your court appointed attorney (PC987.8). Revenue and Recovery has an office at each of the following locations:

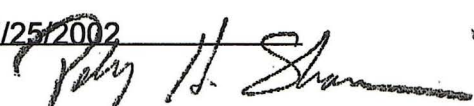
Hall of Justice	Vista Courthouse	East County Regional Center	South County Courthouse
Room 454	Suite 2000	Ground Floor	First Floor
330 W. Broadway San Diego, CA	325 S. Melrose Dr. Vista, CA	250 East Main St. El Cajon, CA	500 Third Ave. Chula Vista, CA

If it is determined that you have the present ability to pay all or any part of the costs incurred, the county will request that a judgment be issued against you for this amount. If you do not agree with this determination, you have the right to a hearing before the court for a decision on your present ability. Failure to report within the 20 days will be deemed a waiver of your right to such a hearing, and a civil judgment will be entered against you for the amount of costs incurred. Payment of any costs so determined shall be to Revenue and Recovery. Payment is not a condition of probation but any judgment obtained may be enforced in the manner of any civil judgment.

**REFERRAL TO THE DEPARTMENT OF REVENUE AND RECOVERY / COURT COLLECTIONS:**

Defendant's Address: 9644 CAMINITO DEL FELIZ  
 Street  
SAN DIEGO CALIFORNIA 92121  
 City State Zip Code

Phone Number: (951)675-9243

DOB: 07/25/2002  


In open court on: September 19, 2024

POLLY H. SHAMOON  
 Judge of the Superior Court

**CLERK'S CERTIFICATE**



The foregoing document, consisting of 5 page(s), is a full, true, and correct copy of the  original  copy on file in this office.

Clerk of the Superior Court

Date: \_\_\_\_\_ by \_\_\_\_\_, Deputy

Distribution by \_\_\_\_\_ on \_\_\_\_\_ to:  Probation (2),  R&R (D-60)  Court Collections  Other: \_\_\_\_\_

SHORT TITLE: People vs. JOSEPH LINARES	CASE NUMBER: SCD303984
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ATTACHMENT (Number): 1*(This Attachment may be used with any Judicial Council form.)*

THE DEFENDANT IS ORDERED NOT TO DRIVE.

THE DRIVER'S LICENSE IS SUSPENDED UNTIL FURTHER COURT ORDER.

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page 1 of 1*(Add pages as required)*

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
CENTRAL DIVISION

FILED  
Clerk of the Superior Court

JUL 01 2024

By: V. Garcia Barron  
Central Division

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,  
v.  
JOSEPH LINARES,  
*dob 07/25/02, Booking No. 24725885A;*  
Defendant

CT No. CD303984  
DA No. AFG077

COMPLAINT-FELONY

INFORMATION

Date: \_\_\_\_\_

PC296 DNA TEST STATUS SUMMARY

Defendant

LINARES, JOSEPH

DNA Testing Requirements

DNA sample has been previously provided

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC594(a)(b)(1) LINARES, JOSEPH	Felony	16-2-3		
2	VC23103(a) LINARES, JOSEPH	Misdemeanor	5-90 Days		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

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

WRITTEN NOTICE OF THE DATE, TIME AND PLACE SET FOR HEARING OF THE MOTION HAS BEEN PROVIDED TO:

Probationer's name, address and telephone number:

Joesph Linares  
2191 Whitestone Drive  
Riverside, CA 92506  
951-675-9243

Presiding Superior Court of Receiving County:

Superior Court of California  
County of Riverside  
Hall of Justice  
Attn: 1203.9 Jurisdictional Transfer  
4100 Main Street  
Riverside, CA 92501

Probation Office of Receiving County:

Riverside County Probation  
Metro East Division  
Attn: 1203.9  
PO Box 1086  
Riverside, CA 92502

San Diego County District Attorney:

330 West Broadway  
San Diego, CA 92101

Probationer's Attorney:

Luis Jiminez, Dod Law  
303 A Street, Suite 306  
San Diego, CA 92101  
619-814-5110

Victim(s) CONFIDENTIAL ADDRESS:

Foothill Ranch, CA

This notice was placed in a sealed envelope and/or package addressed to the person/entities listed above and placed in the mail serviced by the United States Postal Service on \_\_\_\_\_ in accordance with the Rules of Court 4.530(d)(1) via first class United States mail.

Completed By: \_\_\_\_\_

Professional Staff Signature

\_\_\_\_\_

Professional Staff Name & Title



# /

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

FILED  
For Court Use Only  
Clerk of the Superior Court

PEOPLE vs Joseph Linares Defendant

AUG 14 2024

By: A. Vazquez, Deputy

PLEA OF GUILTY NO CONTEST - FELONY

COURT CASE NUMBER CD303984  
DA CASE NUMBER AFG077

I, the defendant in the above-entitled case, in support of my plea of GUILTY/No Contest, personally declare as follows:

1. Of those charges now filed against me in this case, I plead Guilty to the following  offenses and admit the enhancements, allegations and prior convictions as follows:

COUNT	CHARGE	ENHANCEMENT(S)/ALLEGATION(S) (List all for each count)
1	PC 594(a)(b)(1)	Felony
2	VC 23103(a)	Misdemeanor

PRIOR (SECTION NO.)	CONVICTION DATE	COUNTY	CASE NO.	CHARGE(S)

Additional count(s)/prior(s) listed on Plea of Guilty/No Contest-Felony Attachment Page (SDSC Form #CRM-012A).

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

NOLIT, Court will read and consider Alternatives to custody (SPR & work furlough). Court will strongly consider reducing Ct. 1 to a Misdemeanor after 1 year of Fardel Probation if Restitution paid in full.

3. I am entering my plea freely and voluntarily, without fear or threat 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.

CONSTITUTIONAL RIGHTS

6a. I understand that I have the right to be represented by a lawyer at all stages of the proceedings. I can hire my own lawyer or the Court will appoint a lawyer for me if I cannot afford one.

I understand that as to all charges, allegations and prior convictions filed against me, and as to any facts that may be used to increase my sentence, now or in the future, I also have the following constitutional rights, which I now give up to enter my plea of guilty/no contest:

6b. I have the right to a speedy and public trial by jury. I now give up this right.

6c. I have the right to confront and cross-examine all the witnesses against me. I now give up this right.

6d. I have the right to remain silent (unless I choose to testify on my own behalf). I now give up this right.

6e. 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.

CONSEQUENCES OF PLEA OF GUILTY/NO CONTEST

7a. I understand that I may receive this maximum punishment as a result of my plea: 3 years imprisonment or imprisonment plus a term of mandatory supervision; \$ 10,000.00 fine; and 4 years parole or post-release community supervision, with return to custody for every violation of a condition thereof. If I am not sentenced to imprisonment, I may be granted probation for a period up to 5 years or the maximum term of imprisonment, whichever is greater. As conditions of probation I may be given up to a year in jail custody, plus the fine, and any other conditions deemed reasonable by the Court. I understand that if I violate any condition of probation I can be sentenced to imprisonment for the maximum term as stated above.

JL

7b. I understand that I must pay a restitution fine (\$300 - \$10,000), that I will also be subject to a suspended fine in the same amount, and that I must pay full restitution to all victims.

JL

7c. I understand that my conviction in this case will be a serious/violent felony ("strike") resulting in mandatory denial of probation, substantially increased penalties, and a term in State Prison in any future felony case.

[Signature]

7d. Immigration consequences: (1) I understand that if I am not a U.S. citizen, this plea of Guilty/No Contest may, and for certain offenses will (see page 4), have the consequences of removal/deportation, exclusion from admission to the United States, and/or denial of naturalization pursuant to the laws of the U.S.; (2) I understand I have the right to request additional time to consider my plea in light of the advisement in this paragraph; (3) I have discussed my immigration status with my attorney and have had sufficient time to consider and discuss the immigration consequences of my plea with him/her or an immigration attorney.

JL

7e. I understand that my plea of Guilty/No Contest in this case could result in revocation of my probation, mandatory supervision, parole or post-release supervision in other cases, and consecutive sentences.

JL

7f. My attorney has explained to me that other possible consequences of this plea may be:

JL

(Circle applicable consequences.)

- (1) Consecutive sentences
- (2) Loss of driving privileges
- (3) Commitment to Youth Authority
- (4) Lifetime registration as an arson / sex offender
- (5) Registration as a narcotic / gang offender
- (6) Cannot possess firearms or ammunition
- (7) Blood test and saliva sample
- (8) Priorable (increased punishment for future offenses)

- (9) Prison prior
- (10) Mandatory imprisonment
- (11) Mandatory State Prison
- (12) Presumptive imprisonment
- (13) Presumptive State Prison
- (14) Sexually Violent Predator Law
- (15) Possible/Mandatory hormone suppression treatment
- (16) Reduced conduct/work credits

- a. Limited local credits (290/serious/prior)
- b. Violent Felony (No credit or max. 15%)
- c. Prior Strike(s) (No credit to max. 20%)
- d. Murder on/after 6/3/98 (No credit)
- (17) Loss of public assistance
- (18) AIDS education program
- (19) Other: \_\_\_\_\_

JL

8. (Appeal Rights) I give up my right to appeal the following: 1) denial of my 1538.5 motion, 2) issues related to strike priors (under PC sections 667(b)-(i) and 1170.12), and 3) any sentence stipulated herein.

JL

9. (Harvey Waiver) The sentencing judge may consider my prior criminal history and the entire factual background of the case, including any unfiled, dismissed or stricken charges or allegations or cases when granting probation, ordering restitution or imposing sentence.

JL

10. (Blakely Waiver) I understand that as to any fact in aggravation that may be used to increase my sentence on any count or allegation to the upper or maximum term provided by law, I have the constitutional rights listed in paragraphs 6b-6e. I now give up those rights and agree that the sentencing judge may determine the existence or non-existence of any fact in aggravation, either at the initial sentencing or at any future sentencing in the event my probation is revoked.

JL

11. (Cruz Waiver) Negotiated Disposition pursuant to PC 1192.5: I understand that if pending sentencing I am arrested for or commit another crime, violate any condition of my release, or willfully fail to appear for my probation interview or my sentencing hearing, the sentence portion of this agreement will be cancelled. I will be sentenced unconditionally, and I will not be allowed to withdraw my guilty/no contest plea(s).

JL

DEFENDANT

Joseph Linares

CASE NUMBER

CD303984

12. (Arbuckle Waiver) I give up my right to be sentenced by the judge who accepts this plea.

JL

13. (Probation Report) I give up my right to a full probation report before sentencing.

JL

14. (Evidence Disposal Waiver) I give up my interest in all non-biological property/evidence impounded during the investigation of this case except \_\_\_\_\_ and acknowledge that if I listed any property here, I must also file a claim with the impounding agency within 60 days after pronouncement of judgment or my ability to make a claim will expire.

JL

PLEA

15. I now plead Guilty/No Contest and admit the charges, convictions and allegations described in Item 1. I admit that on the dates charged, I: (Describe facts as to each charge and allegation)

did unlawfully & maliciously damage and destroy personal property not mine, my own and the amount of damage was \$400.00 or more. I did unlawfully drive a vehicle upon a highway in willful and wanton disregard for the safety of persons & property.

JL

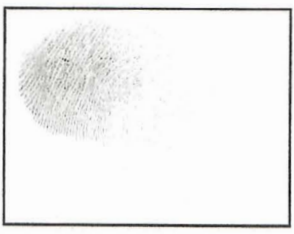
16. I declare under penalty of perjury that I have read, understood, and initialed each item above and any attached addendum, and everything on the form and any attached addendum is true and correct.

JL

Dated: MAUG24 Defendant's Signature [Signature]

Defendant's Address: 9644 Caminito Del Feliz Street San Diego CA 92121

Telephone Number: (951) 675 9243



Defendant's Right Thumb Print

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. I have asked the defendant about his/her immigration status, advised defendant of the immigration consequences of this plea to the best of my ability, and advised defendant of the right to additional time to discuss this matter with an immigration attorney. 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: 08/14/24 Luis Jimenez Attorney for Defendant (Signature) (Circle one: PD / APD / OAC) (RETAINED)

INTERPRETER'S STATEMENT

I, the sworn \_\_\_\_\_ language interpreter in this proceeding, truly translated for the defendant the entire contents of this form and any attached addendum. The defendant indicated understanding of the contents of this form and any addendum and then initialed and signed the form and any addendum.

Dated: \_\_\_\_\_ (Print Name) Court Interpreter (Signature)

PROSECUTOR'S STATEMENT

The People of the State of California, plaintiff, by its attorney, the District Attorney for the County of San Diego, concurs with the defendant's plea of Guilty/No Contest as set forth above.

Dated: \_\_\_\_\_ (Print Name) Deputy District Attorney (Signature)

**COURT'S FINDING AND ORDER**

The Court, having questioned the defendant and 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: 8/14/2024

  
Judge of the Superior Court

**IMMIGRATION CONSEQUENCES**

**POLLY H. SHAMOAN**

If you are not a U.S. citizen, you should consult your attorney or an immigration attorney about the immigration consequences of your plea, particularly if your offense might qualify as an "aggravated felony," crime of moral turpitude, controlled substance offense, firearm offense, or domestic violence offense (see below). It is your attorney's obligation to provide you with accurate and affirmative advice about the immigration consequences of your plea, and you have the right to additional time to evaluate those immigration consequences. By entering a plea, you are indicating to the court you know of and understand the specific immigration consequences that will result from your conviction.

Immigration consequences are a matter of federal law. Whether an offense qualifies as one of the "aggravated felonies" listed below is determined by federal statutes and case law. (See *Esquivel-Quintana v. Sessions* (2017) \_\_ U.S. \_\_, 137 S.Ct. 1562, 198 L.Ed.2d 22.) **Certain offenses defined as misdemeanors under State law may be considered "aggravated felonies" under federal law.**

Any conviction of a non-citizen for an "aggravated felony" will result in removal/deportation, exclusion, and/or denial of naturalization. (See 8 U.S.C. § 1227(a)(2)(A)(iii).) "Aggravated felonies" (see 8 U.S.C. § 1101(a)(43)) include but are not limited to:

- (1) Murder; rape; or sexual abuse of a minor;
- (2) A crime of violence, as defined in 18 U.S.C. § 16, but not including a purely political offense;\*
- (3) Trafficking of a controlled substance, firearms, destructive devices or explosive materials;
- (4) Money laundering if the amount exceeds \$10,000;
- (5) An explosive materials offense;
- (6) A firearms offense;
- (7) A theft offense, including receipt of stolen property, or burglary offense;\*
- (8) Child pornography;
- (9) Pimping, pandering, or operating a prostitution business;
- (10) Human trafficking;
- (11) Fraud or deceit in which the loss to the victim or victims exceeds \$10,000;
- (12) Failure to appear by a defendant for service of a sentence if the underlying offense is punishable by imprisonment for a term of five years or more, or failure to appear to answer or resolve a felony for which a sentence of two years' imprisonment or more may be imposed;
- (13) Commercial bribery, counterfeiting, forgery, or trafficking in vehicles the identification numbers of which have been altered;\*
- (14) Obstruction of justice, perjury or subornation of perjury, or bribery of a witness;\*
- (15) An attempt or conspiracy to commit any of the above offenses.

\*If the term of imprisonment is at least one year.

Other crimes (as defined by federal law) that may result in removal/deportation, exclusion, and/or denial of naturalization or other severe immigration consequences include, but are not limited to:

- (1) A crime of moral turpitude (see 8 U.S.C. §§ 1182(a)(2)(A)(i), 1227(a)(2)(A)(i));
- (2) A controlled substance offense (see 8 U.S.C. §§ 1182(a)(2)(A)(i), 1182(a)(2)(C), 1227(a)(2)(B));
- (3) A firearm or destructive device offense (see 8 U.S.C. § 1227(a)(2)(C));
- (4) A domestic violence, stalking, or child abuse offense (see 8 U.S.C. § 1227(a)(2)(E)(i));
- (5) Violation of a protective order (see 8 U.S.C. § 1227(a)(2)(E)(ii));
- (6) A human trafficking offense (see 8 U.S.C. §§ 1182(a)(2)(H), 1227(a)(2)(F));
- (7) Multiple criminal convictions with an aggregate sentence of five years or more (see 8 U.S.C. § 1182(a)(2)(B));
- (8) A prostitution offense (see 8 U.S.C. § 1182(a)(2)(D));
- (9) A "serious criminal offense," which includes any felony, a crime of violence, and reckless driving or DUI with injury (see 8 U.S.C § 1182(a)(2)(E)).

**LEE SHAW, LMFT**  
**Providing Counseling and Therapy since 1989**  
*"Integrity, Compassion, Dedication"*  
**NPI: 1972841047**  
**5225 Canyon Crest Dr., Ste. 253**  
**Riverside, CA 92507**  
**(951) 500-9658**

9/12/2024

Re: Joseph Linares  
DOB: 7/25/02

This letter serves as documentation of your participation in mental health services, which began on November 18, 2019. You have been attending weekly therapy sessions to address symptoms of depression, anxiety, and anger management. We have utilized both Dialectical Behavior Therapy (DBT) and Cognitive Behavioral Therapy (CBT) to help mitigate these symptoms.

Throughout the course of therapy, you have demonstrated noticeable progress, particularly in your ability to apply the tools provided. Recently, you have shown significant improvement in managing your anger, leading to a general reduction in mental health symptoms. Your efforts suggest a positive outlook for continued growth.

If you have any questions or concerns, please feel free to contact me at 951-500-9658.



Lee Shaw Jr  
Licensed Therapist  
Lee Shaw Jr LLC DBA West Coast Healing Center

**EXHIBIT B**

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September 8, 2024

Your Honor,

I am writing this letter on behalf of my nephew, Joseph Linares, who is appearing before you requesting probation without any custody. My name is Nancy Dominguez-Wales. I am a Social Practitioner for the County of Riverside. I have worked for the County for the past 20 yrs. In my profession I have witnessed plenty of youth who have made mistakes with the law. Unfortunately, the youth that did not have a good support system and/or make the necessary changes in their life continued to get in trouble with the law.

I have been involved in Joseph's life since his birth. I am his maternal aunt. He and my oldest son are the same age, and therefore attended the same schools, and at times played on the same sport teams. Joseph comes from a close family with multiple extended family members. His grandparents, aunts, uncles, and cousins all reside in the Riverside area. We all gather together for holidays and other family events.

Joseph is a well-rounded and hard-working young man. In his youth, he participated in multiple sports like soccer, baseball, football, swim and water polo. I mention this to show that Joseph is a team player. He works hard and is willing to put in the work to succeed. Upon graduating from high school, Joseph decided to attend college in San Diego. Since 2020, he has resided in San Diego where he attends school and works. Joseph is working for Reform California and is a member of the Republican Central Committee. When possible, Joseph makes the effort to still attend family events.

I believe that Joseph is a good person and he sincerely regrets having made such a bad decision. Joseph has a good support system with his parents, siblings, grandparents, aunts, uncles and cousins who are prepared to help in any way possible. I believe that Joseph made a mistake and is ready to make the necessary changes and seek the help that is needed to be able to lead a happy life. Thank you for your time, and I hope you will consider this letter before arriving to a decision.

Respectfully,

Nancy Wales  
951-323-4623

**EXHIBIT C**

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## Our Son Joe

My name is Ray Linares & my wife is Angelina Linares and we are Joe's parents. My wife and I have been married 25 years and live in Riverside, California. I am a retired surveyor from the County of Riverside. I also served 28 years in the California Air National Guard. My wife works as a Patient Services Coordinator for *Riverside University Health System/County of Riverside*.

A few words about Joe's character. Joe is well-known as an honest person with a great work ethic. Joe is a man of faith. Joe prays regularly in private and actively with us. Because of Joe's character, his accomplishments to date, and that fact that he is remorseful, we are giving testimony on his behalf.

Joe is naturally a gentle man with an awesome smile, and it shows as he is always well-received. Joe understands service before self. He cares deeply about the future of San Diego & California. For example, he started out as a volunteer and now is on the payroll of a local political action committee. The total time he has spent, in this regard, is one year and four months. For a young man of 22, this is encouraging to know that a young person can care so deeply about shaping the future. Joe understands that there is no place for an angry outburst leading to physical damage in a civil society.

He is being treated for anger management by a licensed therapist. Separately Joe is diagnosed as *bipolar* and suffers from depression and is under treatment.

My Wife & I are asking the Court for probation without custody for our son. Joe works passionately and effectively and he would lose his position if in custody. He has rented his apartment for a year and three months in a difficult rental market and would lose his apartment if in custody.

Most importantly, Joe's mental health will suffer if he is in custody.

We have hope and we believe we will succeed as a family.

**EXHIBIT D**

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September 07, 2024

Trinity Hannaway  
Reform California  
682-327-8153  
hannawaytrinity@gmail.com

To Whom It May Concern,

It is with the utmost pleasure and deep admiration that I write this letter of recommendation for Joe Linares. For the past year, I have had the privilege of working closely with Joe at Reform California, where he serves as an Outreach Coordinator. Although his title is Outreach Coordinator, it hardly captures the breadth and depth of his impact and contributions. Joe has taken on significant responsibilities, including case management and extensive research—both of which are vital to the success of our mission. Yet, what truly sets Joe apart is not just the outstanding work he does, but the spirit, dedication, and unwavering integrity with which he approaches every single task.

From the very first day I met Joe, I knew there was something special about him. There's a quiet confidence and a steady reliability in Joe that immediately puts everyone around him at ease. Over the time we've worked together, I have come to know Joe as one of the hardest workers I've ever met. He is the kind of person who doesn't need reminders or constant supervision because anyone who knows Joe understands that when he takes on a task, it will be completed with excellence, no matter how complex or challenging it may be. His consistency is something rare and admirable, but even rarer is the passion and commitment Joe brings to every aspect of his work.

Joe's dedication to his work is not just about fulfilling his duties; it's about making a difference. Whether he's spending months deep in a research project, helping community members, or interacting with our volunteers, Joe approaches every challenge with an incredible depth of thought and a profound sense of purpose. His work is never just about checking off boxes or meeting deadlines; it's about contributing to something much bigger. Joe understands the importance of the work we do at Reform California—not as a job, but as a mission to create the change that our state so desperately needs. Despite any personal challenges he may be facing, Joe pours himself into this mission with a level of dedication and passion that is truly inspiring to everyone around him.

But what sets Joe apart is not just his extraordinary work ethic; it is his character, which shines brightly in every interaction he has. Joe is the kind of person who is always there for others—whether it's his colleagues, friends, or even strangers. He's the colleague who will willingly come to the office on a weekend just to help with extra work and office management,

even when it means sacrificing his own time. He's the friend who will always lend an ear when you need to talk, offering his full attention. And most importantly, he's a compassionate individual who goes out of his way to ensure that everyone around him is taken care of, without expecting anything in return. Joe's kindness is genuine and selfless—he helps because he believes it's the right thing to do, not because he seeks recognition or reward.

One of the most remarkable qualities about Joe is his ability to think deeply and express his ideas with such clarity and insight that you could listen to him for hours. He has a rare gift for communication—one that goes beyond mere words. Joe has the unique ability to make you see the world differently, to challenge your assumptions, and to inspire you to think more deeply about the issues at hand. There have been countless occasions where I've found myself completely captivated by a conversation with Joe, and I often find myself thinking that he deserves his own TED talk. His ideas are not only well-thought-out, but they also come from a place of genuine care and concern for the world and the people around him.

As someone who has had the privilege of working closely with Joe, I can also say that his curiosity and drive are boundless. Joe has shared with me various interests and aspirations over the past year, and each time, I am left wondering where his path will lead him. But one thing I am certain of—wherever Joe goes, he will excel. His approach to everything he does is rooted in love, dedication, and an unwavering commitment to his goals. Personally, I look up to Joe and strive to match his dedication and resilience, even during times when the world seems to be crumbling. I have no doubt that he will continue to make a profound impact, both professionally and personally, in whatever he chooses to pursue.

In closing, I cannot recommend Joe Linares highly enough. He is a person of exceptional character, remarkable intellect, and unwavering dedication. He has been an invaluable colleague, a trusted friend, and an inspiration to everyone who has had the chance to work with him. I feel incredibly fortunate to have had the opportunity to know and work alongside Joe, and I am confident that anyone who has the opportunity to work with him in the future will feel the same.

Sincerely,

*Trinity Henaway*

**EXHIBIT E**

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# *Certificate Of Completion*

*This is to certify that*

*Joseph Linares*

*Has successfully completed 80 hours of*

*Peer/Recovery Support Specialist Training*

*A Medi-Cal Peer Support Specialist Training*

*Training Dates:*

*May 01, 2023 - May 12, 2023*

*Completed on:*

*May 12, 2023*



*Terrence J.R. Smithers*  
Terrence J.R. Smithers, BA, CRPS, ITE  
Manager of Training Development

FILED  
Clerk of the Superior Court

SEP 13 2024

By: P. Reyes, Deputy

DOD LAW, APC.  
Luis Jimenez, Esq.  
State Bar No. 343053  
303 A Street Suite 306  
San Diego, California 92101  
Telephone: (619) 653-8786

Attorneys for Defendant  
Joseph Linares

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO**

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

Joseph Linares

Defendant.

Case No.: SCD303984  
D.A. No.: AFG077

**STATEMENT IN MITIGATION**

DATE: 09/19/2024  
TIME: 1:30 PM  
DEPT: 1102

**TO: PLAINTIFF ABOVE-NAMED AND ITS ATTORNEY, SUMMER STEPHAN, DISTRICT ATTORNEY FOR THE COUNTY OF SAN DIEGO, THE CLERK OF THE ABOVE ENTITLED COURT, AND TO THE PROBATION OFFICER OF SAN DIEGO COUNTY**

The defendant herein, JOSEPH LINARES, submits the following statement in mitigation.

JOSEPH LINARES requests that the court to grant probation and to allow him to serve any custody time via CPAC or Work-Furlough.

All references to rules are to the California Rules of Court.

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I.

SUMMARY OF THE CASE

A criminal complaint was filed by the OFFICE OF THE DISTRICT ATTORNEY against JOSEPH LINARES (Mr. Linares) on July 1, 2024, alleging violations of Penal Code 594(a)(b)(1) and Vehicle Code § 23103(a). At the Arraignment, Mr. Linares entered a plea of not guilty denying all allegations. On August 14, 2024, at the first Readiness conference Mr. Linares pled guilty to all charges with the condition that the Court would grant probation and strongly consider alternatives to custody including CPAC and Work-Furlough.

II.

**THE COURT SHOULD ALLOW MR. LINARES TO SERVE ANY CUSTODY TIME THROUGH CPAC OR IN THE ALTERNATIVE WORK-FURLOUGH.**

We are recommending that the court exercise its discretion by allowing Mr. Linares to serve any custody through CPAC or Work-Furlough. Mr. Linares should be given the benefit of several mitigating factors during the court's determination of which penalty to impose.

**A) Cooperative, Remorseful and Accepts Full Responsibility**

Since the outset, 22-year-old Mr. Linares has been cooperative and has accepted full responsibility. Mr. Linares is remorseful for his actions, and he admits that he made a poor decision that resulted in the damage to another's person's property. Mr. Linares understands the gravity of his actions. He understand that he is lucky that no one got injured that day and that he could have avoided these risks by staying inside of his vehicle. Mr. Linares accepts that his emotions got the best of him that day. Mr. Linares, approaching the other vehicle out of a fit of rage was completely out his character, and so is the entirety of this situation. Mr. Linares understands he risked his own life, and he is thankful nothing more came out of that.

Mr. Linares deeply regrets his actions and he is disappointed at himself and is welcoming and taking all steps necessary to recover.

**B) No Criminal History**

This incident is the first time Mr. Linares has ever been in trouble with the law. This will

1 be the first offense on his record.

2 **C) Mental Health Illness:**

3 While punishment is warranted, the negative impact of custody would negatively impact  
4 Mr. Linares. Prior to the incident Mr. Linares was dealing with with mental health illness. He is  
5 being treated for anger management by a licensed therapist. Separately Mr. Linares is diagnosed  
6 as bipolar and suffers from depression and is under treatment. Since on November 18, 2019, Mr.  
7 Linares has been attending weekly therapy sessions to address symptoms of depression, anxiety,  
8 and anger management. The treatment includes Dialectical Behavior Therapy (DBT) and  
9 Cognitive Behavioral Therapy (CBT) to help mitigate these symptoms.

10 According to Lee Shaw Jr, Licensed Therapist, throughout the course of therapy, Mr.  
11 Linares has demonstrated noticeable progress, particularly in his ability to apply the tools  
12 provided. Recently, Mr. Linares has shown significant improvement in managing his anger,  
13 leading to a general reduction in mental health symptoms. Mr. Linares efforts suggest a positive  
14 outlook for continued growth. (Exhibit A) Any jail time will interrupt Mr. Linares's progress and  
15 could worsen his mental health illness. Mr. Linares mental health will suffer if he is in custody.

16 **E) Strong Support of Family and Friends**

17 Mr. Linares has a huge amount of support from family and friends as seen in the numerous  
18 letters provided to the Court. The letters provided to the Court are touching and come from  
19 numerous friends and family who took the time to provide the Court first-hand knowledge about  
20 who Mr. Linares is:

21 Nancy Dominguez-Wales, a Social Practitioner for the County of Riverside and Mr.  
22 Linares' aunt wants the court to know that "I believe that Joseph is a good person and he sincerely  
23 regrets having made such a bad decision. Joseph has a good support system with his parents,  
24 siblings, grandparents, aunts, uncles and cousins who are prepared to help in any way possible. I  
25 believe that Joseph made a mistake and is ready to make the necessary changes and seek the help  
26 that is needed to be able to lead a happy life." (Exhibit B)

27 Ray Linares & Angelina Linares, Mr. Linares' parents, jointly stated "Joe is well-known as  
28

1 an honest person with a great work ethic. Joe is a man of faith. Joe prays regularly in private and  
2 actively with us. Because of Joe's character, his accomplishments to date, and that fact that he is  
3 remorseful, we are giving testimony on his behalf. Joe is naturally a gentle man with an awesome  
4 smile, and it shows as he is always well-received. Joe understands service before self. He cares  
5 deeply about the future of San Diego & California. For example, he started out as a volunteer and  
6 now is on the payroll of a local political action committee. The total time he has spent, in this  
7 regard, is one year and four months. For a young man of 22, this is encouraging to know that a  
8 young person can care so deeply about shaping the future. Joe understands that there is no place  
9 for an angry outburst leading to physical damage in a civil society.” (Exhibit C)

10 Trinity Hannaway, who has worked with Mr. Linares for the past year, at Reform  
11 California, where Mr. Linares serves as an Outreach Coordinator, stated that “But what sets Joe  
12 apart is not just his extraordinary work ethic; it is his character, which shines brightly in every  
13 interaction he has. Joe is the kind of person who is always there for others—whether it’s his  
14 colleagues, friends, or even strangers. He’s the colleague who will willingly come to the office on  
15 a weekend just to help with extra work and office management, even when it means sacrificing his  
16 own time. He’s the friend who will always lend an ear when you need to talk, offering his full  
17 attention. And most importantly, he’s a compassionate individual who goes out of his way to  
18 ensure that everyone around him is taken care of, without expecting anything in return. Joe’s  
19 kindness is genuine and selfless—he helps because he believes it’s the right thing to do, not  
20 because he seeks recognition or reward.” (Exhibit D)

21  
22 **F) Who Mr. Linares was before the incident**

23 **a. Early Life**

24 Mr. Linares was born and raised in an intact family in Riverside, CA. He attended a Catholic  
25 school up until the second grade where he then transferred to a public school. In 2012, Mr. Linares’s  
26 childhood was complex as he has a stern father who taught him how to be a man. Mr. Linares has a  
27 loving mother, an older sister and a twin sister. Although it was complex childhood, at whole it was  
28

1 a normal childhood.

2 **b. Education and Employment**

3 Mr. Linares high school experience was as good as it gets. He was in all honors and AP  
4 courses, varsity letters all four years for football, swim, and water polo. Outside of school, he was  
5 on an academy soccer team and club water polo team, and he could have dedicated to sports his  
6 entire life. In high school he was part of a mentoring program called LINK CREW that helped  
7 incoming freshman adjust to the new environment. Mr. Linares graduated in the year 2020 right at  
8 the start of COVID which had a heavy impact on him.

9  
10 Mr. Linares moved to San Diego to attend CSU San Marcos and was in a dorm all alone.  
11 Classes were online, and he was working. It was a struggle. Due to his mental health issues Mr.  
12 Linares ended up dropping out of the university as his grades suffered immensely, he attributes the  
13 bad grades to the isolation. However, Mr. Linares was always able to maintained a job, so he was  
14 always able to support himself. Mr. Linares was in a relationship with a girl he met when they were  
15 both 16 and the relationship ended in 2022. This bad break up exacerbated his mental health issues.

16 In May of 2023, Mr. Linares successfully completed 80 hours of Peer/Recovery Support  
17 Specialist Training A Medi-Cal Peer Support Specialist Training. (Exhibit E)

18 Currently Mr. Linares resides in La Jolla working for a local political action committee and  
19 a recent elect for the Republican Central Committee for SD county D3. Mr. Linares serves as an  
20 Outreach Coordinator where he takes on significant responsibilities, including case management and  
21 extensive research.

22 **G) What Mr. Linares has done after the incident?**

23 Mr. Linares continues to treat with Lee Shaw Jr, Licensed Therapist in weekly therapy  
24 sessions to address symptoms of depression, anxiety, and anger management. The treatment  
25 includes Dialectical Behavior Therapy (DBT) and Cognitive Behavioral Therapy (CBT) (Exhibit  
26 A).

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III.

CONCLUSION

The Court should consider Mr. Linares's strong community and family support, lack of criminal history, extreme remorse, mental health illness and overall cooperation and demeanor throughout this case and allow him to serve any custody time through CPAC or Work Furlough.

Dated: 09/13/2024

Respectfully submitted,

By:   
Luis Jimenez  
Attorney for Defendant  
Joseph Linares

**EXHIBIT A**

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**LEE SHAW, LMFT**  
**Providing Counseling and Therapy since 1989**  
*"Integrity, Compassion, Dedication"*  
**NPI: 1972841047**  
5225 Canyon Crest Dr., Ste. 253  
Riverside, CA 92507  
(951) 500-9658

9/12/2024

Re: Joseph Linares  
DOB: 7/25/02

This letter serves as documentation of your participation in mental health services, which began on November 18, 2019. You have been attending weekly therapy sessions to address symptoms of depression, anxiety, and anger management. We have utilized both Dialectical Behavior Therapy (DBT) and Cognitive Behavioral Therapy (CBT) to help mitigate these symptoms.

Throughout the course of therapy, you have demonstrated noticeable progress, particularly in your ability to apply the tools provided. Recently, you have shown significant improvement in managing your anger, leading to a general reduction in mental health symptoms. Your efforts suggest a positive outlook for continued growth.

If you have any questions or concerns, please feel free to contact me at 951-500-9658.



Lee Shaw Jr  
Licensed Therapist  
Lee Shaw Jr LLC DBA West Coast Healing Center

**EXHIBIT B**

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September 8, 2024

Your Honor,

I am writing this letter on behalf of my nephew, Joseph Linares, who is appearing before you requesting probation without any custody. My name is Nancy Dominguez-Wales. I am a Social Practitioner for the County of Riverside. I have worked for the County for the past 20 yrs. In my profession I have witnessed plenty of youth who have made mistakes with the law. Unfortunately, the youth that did not have a good support system and/or make the necessary changes in their life continued to get in trouble with the law.

I have been involved in Joseph's life since his birth. I am his maternal aunt. He and my oldest son are the same age, and therefore attended the same schools, and at times played on the same sport teams. Joseph comes from a close family with multiple extended family members. His grandparents, aunts, uncles, and cousins all reside in the Riverside area. We all gather together for holidays and other family events.

Joseph is a well-rounded and hard-working young man. In his youth, he participated in multiple sports like soccer, baseball, football, swim and water polo. I mention this to show that Joseph is a team player. He works hard and is willing to put in the work to succeed. Upon graduating from high school, Joseph decided to attend college in San Diego. Since 2020, he has resided in San Diego where he attends school and works. Joseph is working for Reform California and is a member of the Republican Central Committee. When possible, Joseph makes the effort to still attend family events.

I believe that Joseph is a good person and he sincerely regrets having made such a bad decision. Joseph has a good support system with his parents, siblings, grandparents, aunts, uncles and cousins who are prepared to help in any way possible. I believe that Joseph made a mistake and is ready to make the necessary changes and seek the help that is needed to be able to lead a happy life. Thank you for your time, and I hope you will consider this letter before arriving to a decision.

Respectfully,

Nancy Wales  
951-323-4623

**EXHIBIT C**

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## Our Son Joe

My name is Ray Linares & my wife is Angelina Linares and we are Joe's parents. My wife and I have been married 25 years and live in Riverside, California. I am a retired surveyor from the County of Riverside. I also served 28 years in the California Air National Guard. My wife works as a Patient Services Coordinator for *Riverside University Health System/County of Riverside*.

A few words about Joe's character. Joe is well-known as an honest person with a great work ethic. Joe is a man of faith. Joe prays regularly in private and actively with us. Because of Joe's character, his accomplishments to date, and that fact that he is remorseful, we are giving testimony on his behalf.

Joe is naturally a gentle man with an awesome smile, and it shows as he is always well-received. Joe understands service before self. He cares deeply about the future of San Diego & California. For example, he started out as a volunteer and now is on the payroll of a local political action committee. The total time he has spent, in this regard, is one year and four months. For a young man of 22, this is encouraging to know that a young person can care so deeply about shaping the future. Joe understands that there is no place for an angry outburst leading to physical damage in a civil society.

He is being treated for anger management by a licensed therapist. Separately Joe is diagnosed as *bipolar* and suffers from depression and is under treatment.

My Wife & I are asking the Court for probation without custody for our son. Joe works passionately and effectively and he would lose his position if in custody. He has rented his apartment for a year and three months in a difficult rental market and would lose his apartment if in custody.

Most importantly, Joe's mental health will suffer if he is in custody.

We have hope and we believe we will succeed as a family.

**EXHIBIT D**

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September 07, 2024

Trinity Hannaway  
Reform California  
682-327-8153  
hannawaytrinity@gmail.com

To Whom It May Concern,

It is with the utmost pleasure and deep admiration that I write this letter of recommendation for Joe Linares. For the past year, I have had the privilege of working closely with Joe at Reform California, where he serves as an Outreach Coordinator. Although his title is Outreach Coordinator, it hardly captures the breadth and depth of his impact and contributions. Joe has taken on significant responsibilities, including case management and extensive research—both of which are vital to the success of our mission. Yet, what truly sets Joe apart is not just the outstanding work he does, but the spirit, dedication, and unwavering integrity with which he approaches every single task.

From the very first day I met Joe, I knew there was something special about him. There's a quiet confidence and a steady reliability in Joe that immediately puts everyone around him at ease. Over the time we've worked together, I have come to know Joe as one of the hardest workers I've ever met. He is the kind of person who doesn't need reminders or constant supervision because anyone who knows Joe understands that when he takes on a task, it will be completed with excellence, no matter how complex or challenging it may be. His consistency is something rare and admirable, but even rarer is the passion and commitment Joe brings to every aspect of his work.

Joe's dedication to his work is not just about fulfilling his duties; it's about making a difference. Whether he's spending months deep in a research project, helping community members, or interacting with our volunteers, Joe approaches every challenge with an incredible depth of thought and a profound sense of purpose. His work is never just about checking off boxes or meeting deadlines; it's about contributing to something much bigger. Joe understands the importance of the work we do at Reform California—not as a job, but as a mission to create the change that our state so desperately needs. Despite any personal challenges he may be facing, Joe pours himself into this mission with a level of dedication and passion that is truly inspiring to everyone around him.

But what sets Joe apart is not just his extraordinary work ethic; it is his character, which shines brightly in every interaction he has. Joe is the kind of person who is always there for others—whether it's his colleagues, friends, or even strangers. He's the colleague who will willingly come to the office on a weekend just to help with extra work and office management,

even when it means sacrificing his own time. He's the friend who will always lend an ear when you need to talk, offering his full attention. And most importantly, he's a compassionate individual who goes out of his way to ensure that everyone around him is taken care of, without expecting anything in return. Joe's kindness is genuine and selfless—he helps because he believes it's the right thing to do, not because he seeks recognition or reward.

One of the most remarkable qualities about Joe is his ability to think deeply and express his ideas with such clarity and insight that you could listen to him for hours. He has a rare gift for communication—one that goes beyond mere words. Joe has the unique ability to make you see the world differently, to challenge your assumptions, and to inspire you to think more deeply about the issues at hand. There have been countless occasions where I've found myself completely captivated by a conversation with Joe, and I often find myself thinking that he deserves his own TED talk. His ideas are not only well-thought-out, but they also come from a place of genuine care and concern for the world and the people around him.

As someone who has had the privilege of working closely with Joe, I can also say that his curiosity and drive are boundless. Joe has shared with me various interests and aspirations over the past year, and each time, I am left wondering where his path will lead him. But one thing I am certain of—wherever Joe goes, he will excel. His approach to everything he does is rooted in love, dedication, and an unwavering commitment to his goals. Personally, I look up to Joe and strive to match his dedication and resilience, even during times when the world seems to be crumbling. I have no doubt that he will continue to make a profound impact, both professionally and personally, in whatever he chooses to pursue.

In closing, I cannot recommend Joe Linares highly enough. He is a person of exceptional character, remarkable intellect, and unwavering dedication. He has been an invaluable colleague, a trusted friend, and an inspiration to everyone who has had the chance to work with him. I feel incredibly fortunate to have had the opportunity to know and work alongside Joe, and I am confident that anyone who has the opportunity to work with him in the future will feel the same.

Sincerely,

*Trinity Henaway*

**EXHIBIT E**

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# *Certificate Of Completion*

*This is to certify that*

*Joseph Linares*

*Has successfully completed 80 hours of*

*Peer/Recovery Support Specialist Training*

*A Medi-Cal Peer Support Specialist Training*

*Training Dates:*

*May 01, 2023 - May 12, 2023*

*Completed on:*

*May 12, 2023*



*Terrence J-R Smithers*  
Terrence J-R Smithers, BA, CRPS, ITE  
Manager of Training Development