

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

NO. 9HY03151 PAGE NO. 1

THE PEOPLE OF THE STATE OF CALIFORNIA VS. CURRENT DATE 08/05/10

DEFENDANT 01: MONTANA GAIZ FISHBURNE

LAW ENFORCEMENT AGENCY EFFECTING ARREST: LAPD - HOLLYWOOD AREA

BAIL: APPEARANCE DATE	AMOUNT OF BAIL POSTED	DATE RECEIPT OR BOND NO.	SURETY COMPANY NUMBER	REGISTER NUMBER
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CASE FILED ON 11/25/09.

COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING COMMITTED, ON OR ABOUT 11/04/09 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING OFFENSE(S) OF:

COUNT 01: 647(B) PC MISD

COUNT 02: 653.22(A) PC MISD

NEXT SCHEDULED EVENT:

12/02/09 830 AM ARRAIGNMENT DIST HOLLYWOOD COURTHOUSE DEPT 077

ON 12/02/09 AT 830 AM IN HOLLYWOOD COURTHOUSE DEPT 077

CASE CALLED FOR ARRAIGNMENT

PARTIES: SPURGEON E. SMITH (JUDGE) DERRICK CALLICOATTE (CLERK)
ANNE STEWART (REP) PATRICIA A. PENNER (CA)

DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY SAMMY M. WEISS PRIVATE COUNSEL

AT THE REQUEST OF THE DEFENSE, CASE IS CONTINUED TO 01-07-2010 FOR ARRAIGNMENT.

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

01/07/10 830 AM ARRAIGNMENT DIST HOLLYWOOD COURTHOUSE DEPT 077

CUSTODY STATUS: RELEASED ON OWN RECOGNIZANCE

ON 01/07/10 AT 830 AM IN HOLLYWOOD COURTHOUSE DEPT 077

CASE CALLED FOR ARRAIGNMENT

PARTIES: SPURGEON E. SMITH (JUDGE) JAMES DITTMER (CLERK)
ANNE STEWART (REP) PATRICIA A. PENNER (CA)

DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY SAMMY M. WEISS PRIVATE COUNSEL

DEFENDANT'S COUNSEL APPEARS ON BEHALF OF DEFENDANT PURSUANT TO PENAL CODE SECTION 977(A).

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

UPON MOTION OF DEFENDANT

02/11/10 830 AM ARRAIGNMENT DIST HOLLYWOOD COURTHOUSE DEPT 077

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 02/11/10 AT 830 AM IN HOLLYWOOD COURTHOUSE DEPT 077

CASE CALLED FOR ARRAIGNMENT

PARTIES: SPURGEON E. SMITH (JUDGE) DERRICK CALLICOATTE (CLERK)
ANNE STEWART (REP) PATRICIA A. PENNER (CA)

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DEFENDANT IS NOT PRESENT IN COURT, BUT REPRESENTED BY SAMMY M. WEISS PRIVATE COUNSEL

DEFENDANT APPEARING BY COUNSEL PURSUANT TO PENAL CODE SECTION 977 ET SEQ, BY SAMMY M. WEISS PRIVATE COUNSEL

WAIVES STATUTORY TIME.

NEXT SCHEDULED EVENT:

03/19/10 830 AM ARRAIGNMENT DIST HOLLYWOOD COURTHOUSE DEPT 077

ON 03/19/10 AT 830 AM IN HOLLYWOOD COURTHOUSE DEPT 077

CASE CALLED FOR ARRAIGNMENT

PARTIES: SPURGEON E. SMITH (JUDGE) DERRICK CALLICOATTE (CLERK)
ANNE STEWART (REP) PATRICIA A. PENNER (CA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY SAMMY M. WEISS PRIVATE COUNSEL

DEFENDANT STATES HIS/HER TRUE NAME AS CHARGED.

ON PEOPLE'S MOTION, COURT ORDERS COMPLAINT AMENDED BY INTERLINEATION TO ADD VIOLATION 602(K) PC MISD AS COUNT 03.

DEFENDANT ADVISED OF THE FOLLOWING RIGHTS ORALLY:

DEFENDANT WAIVES ARRAIGNMENT, READING OF COMPLAINT, AND STATEMENT OF CONSTITUTIONAL AND STATUTORY RIGHTS.

DEFENDANT ADVISED OF AND PERSONALLY AND EXPLICITLY WAIVES THE FOLLOWING RIGHTS: WRITTEN ADVISEMENT OF RIGHTS AND WAIVERS FILED, INCORPORATED BY REFERENCE HEREIN

TRIAL BY COURT AND TRIAL BY JURY

CONFRONTATION AND CROSS-EXAMINATION OF WITNESSES;

SUBPOENA OF WITNESSES INTO COURT TO TESTIFY IN YOUR DEFENSE;

AGAINST SELF-INCRIMINATION;

DEFENDANT ADVISED OF THE FOLLOWING:

THE NATURE OF THE CHARGES AGAINST HIM, THE ELEMENTS OF THE OFFENSE IN THE COMPLAINT, AND POSSIBLE DEFENSES TO SUCH CHARGES;

THE POSSIBLE CONSEQUENCES OF A PLEA OF GUILTY OR NOLO CONTENDERE, INCLUDING THE MAXIMUM PENALTY AND ADMINISTRATIVE SANCTIONS AND THE POSSIBLE LEGAL EFFECTS AND MAXIMUM PENALTIES INCIDENT TO SUBSEQUENT CONVICTIONS FOR THE SAME OR SIMILAR OFFENSES;

THE EFFECTS OF PROBATION;

IF YOU ARE NOT A CITIZEN, YOU ARE HEREBY ADVISED THAT A CONVICTION OF THE

OFFENSE FOR WHICH YOU HAVE BEEN CHARGED WILL HAVE THE CONSEQUENCES OF DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES;

COUNSEL FOR THE DEFENDANT JOINS IN THE WAIVERS AND CONCURS IN THE PLEA.

COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND EXPLICITLY MADE;

THE DEFENDANT WITH THE COURTS APPROVAL, PLEADS NOLO CONTENDERE TO COUNT 03 A VIOLATION OF SECTION 602(K) PC. THE COURT FINDS THE DEFENDANT GUILTY.

COUNT (03) : DISPOSITION: CONVICTED

COURT FINDS THAT THERE IS A FACTUAL BASIS FOR DEFENDANT'S PLEA, AND COURT

ACCEPTS PLEA.
WAIVES TIME FOR SENTENCE.
NEXT SCHEDULED EVENT:

SENTENCING

DEFENDANT WAIVES ARRAIGNMENT FOR JUDGMENT AND STATES THERE IS NO LEGAL CAUSE

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WHY SENTENCE SHOULD NOT BE PRONOUNCED. THE COURT ORDERED THE FOLLOWING
JUDGMENT:

AS TO COUNT (03):

IMPOSITION OF SENTENCE SUSPENDED

DEFENDANT PLACED ON SUMMARY PROBATION

FOR A PERIOD OF 024 MONTHS UNDER THE FOLLOWING TERMS AND CONDITIONS:

SERVE 015 DAYS IN LOS ANGELES COUNTY JAIL

LESS CREDIT FOR 2 DAYS

PLUS \$30.00 COURT SECURITY ASSESSMENT (PURSUANT TO 1465.8(A)(1) P.C.)

\$30.00 CRIMINAL CONVICTION ASSESSMENT (PURSUANT TO 70373 G.C.)

IN LIEU OF JAIL:

PERFORM 15 DAYS OF COMMUNITY SERVICE

DEFENDANT SHALL PAY A RESTITUTION FINE IN THE AMOUNT OF \$100.00 TO THE COURT

TOTAL DUE: \$160.00

IN ADDITION:

-DO NOT OFFER TO ENGAGE AND DO NOT ENGAGE IN ANY FORM OF SEXUAL
ACTIVITY FOR MONEY OR ANY OTHER CONSIDERATION.

-DO NOT ENGAGE OR OFFER TO ENGAGE IN ANY SEXUAL ACTIVITY IN A

PUBLIC PLACE OR A PLACE OPEN TO THE PUBLIC OR EXPOSED TO PUBLIC
VIEW.

-DO NOT, ANYWHERE WITHIN THE: HOLLYWOOD DISTRICT ENGAGE OR TRY
TO ENGAGE DRIVERS IN CONVERSATION, HITCHHIKE, ASK FOR OR ACCEPT
RIDES FROM DRIVERS, BE STOPPED PARKED IN A VEHICLE WITH
DRIVERS, OR LOITER, CONGREGATE OR REMAIN ON ANY PUBLIC STREET,
SIDEWALK OR ALLEY, WITH THE INTENT TO SOLICIT ACTS OF
PROSTITUTION OR TO ENTER INTO AGREEMENTS OR ENGAGE IN ACTS OF
PROSTITUTION.

-ENROLL IMMEDIATELY, ATTEND AND COMPLETE AN AIDS EDUCATION
CLASS.

-DEFENDANT ORDERED TO SUBMIT TO AIDS TEST PER 1202.1 P.C.

-DEFENDANT ACKNOWLEDGES TO THE COURT THAT THE DEFENDANT
UNDERSTANDS AND ACCEPTS ALL THE PROBATION CONDITIONS, AND
DEFENDANT AGREES TO ABIDE BY SAME.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.
OBEY ALL LAWS AND FURTHER ORDERS OF THE COURT.

DEFENDANT ELECTS WORK ALTERNATIVE IN LIEU OF JAIL TIME AND IS

GIVEN CREDIT OF TWO DAYS.

COUNT (03): DISPOSITION: CONVICTED
REMAINING COUNTS DISMISSED:

COUNT (01): DISMISSAL IN FURTH OF JUSTICE PER 1385 PC

COUNT (02): DISMISSAL IN FURTH OF JUSTICE PER 1385 PC

DMV ABSTRACT NOT REQUIRED

NEXT SCHEDULED EVENT:

05/20/10 830 AM PROGRESS REPORT DIST HOLLYWOOD COURTHOUSE DEPT 077

NEXT SCHEDULED EVENT 2:

09/20/10 830 AM FINE PAYMENT(S) DIST HOLLYWOOD COURTHOUSE DEPT CLK

CUSTODY STATUS: RELEASED ON OWN RECOGNIZANCE

04/30/10 ARREST DISPOSITION REPORT SENT VIA FILE TRANSFER TO DEPARTMENT OF JUSTICE

ON 05/20/10 AT 830 AM IN HOLLYWOOD COURTHOUSE DEPT 077

CASE CALLED FOR PROGRESS REPORT

PARTIES: SPURGEON E. SMITH (JUDGE) DERRICK CALLICOATTE (CLERK)
BEATRICE BECERRA (REP) PATRICIA A. PENNER (CA)

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DEF NO. 01

DATE PRINTED 08/05/10

DEFENDANT IS PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL
DEFENDANT APPEARS IN PRO PER
DEFENDANT COMPLETED 16/104 HOURS OF HOLLYWOOD BEAUTIFICATION TEAM.

PROOF OF COMPLETION IN AIDS TESTING AND EDUCATION IS FILED.

~~~~~TCIS ENTRY MADE BY A. DASTARYAN~~~~~

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

NEXT SCHEDULED EVENT:

07/29/10 830 AM PROGRESS REPORT DIST HOLLYWOOD COURTHOUSE DEPT 077

ON 07/29/10 AT 830 AM IN HOLLYWOOD COURTHOUSE DEPT 077

CASE CALLED FOR PROGRESS REPORT

PARTIES: SPURGEON E. SMITH (JUDGE) DERRICK CALLICOATTE (CLERK)  
ANNE STEWART (REP) PATRICIA A. PENNER (CA)

DEFENDANT IS PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL

DEFENDANT APPEARS IN PRO PER

THIS MATTER IS CONTINUED FOR PROOF OF COMPLETION IN COMMUNITY LABOR AND PAYMENT OF FINE/FEEES TO THE DATE INDICATED BELOW.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.

NEXT SCHEDULED EVENT:

09/20/10 830 AM PROOF OF COMPLETION DIST HOLLYWOOD COURTHOUSE DEPT 077

CUSTODY STATUS: ON PROBATION.