

BOARD OF PAROLE HEARINGS
En Banc Decisions
Tuesday, December 17, 2013

GARCIA, CARLOS **K-89409** **Penal Code section 3041.5(a)(4)**

Motion: **Vacate the November 26, 2013, decision and schedule a re-hearing on the next available calendar due to the Board's failure to comply with Penal Code section 3041.5(a)(4).**

Motion by: **Garner**

Second by: **Roberts**

Not Present:

Abstained:

Decision: **Motion carried.**

FISCHER, FREDERICK **B-55652** **Penal Code section 3041.5(a)(4)**

Motion: **Vacate the November 26, 2013, decision and schedule a re-hearing on the next available calendar due to the Board's failure to comply with Penal Code section 3041.5(a)(4).**

Motion by: **Fritz**

Second by: **Montes**

Not present:

Abstained:

Decision: **Motion carried.**

MCNUTT, ELAINE **W-34278** **Referred by Decision Review**

Motion: **Vacate the August 29, 2013, decision and schedule a re-hearing to comply with *In re Lawrence* ((2008) 82 Cal.Rptr.3d 169) with respect to the inmate's parole plans.**

Motion by: **Peck**

Second by: **Garner**

Not present:

Abstained:

Decision: **Motion carried.**

LYNCH, JOHN

T-61378

Governor-Referred

Motion: Affirm the panel's decision to grant parole made on September 5, 2013, based on a finding that the prisoner no longer poses an unreasonable risk of danger to the public as articulated by the granting panel.

Motion by: **Fritz**
Second by: **Roberts**

Not Present:

Abstained: **Singh**

Decision: Motion carried.

TRAN, VIET

H-93494

Governor-Referred

Motion: Affirm the panel's decision to grant parole made on August 28, 2013, based on a finding that the prisoner no longer poses an unreasonable risk of danger to the public as articulated by the granting panel.

Motion by: **Peck**
Second by: **Anderson**

Not Present:

Abstained:

Decision: Motion carried.

TUCKER, TERRANCE

K-52595

Governor-Referred

Motion: Affirm the panel's decision to grant parole made on September 5, 2013, based on a finding that the prisoner no longer poses an unreasonable risk of danger to the public as articulated by the granting panel.

Motion by: **Roberts**
Second by: **Richardson**

Not Present:

Abstained:

Decision: Motion carried.