

**BOARD OF PAROLE HEARINGS**

**En Banc Decisions**

**Tuesday, February 15 2011**

**Penal Code section 1170**

Pursuant to Government Code section 11126(c)(4)

**LEE, James Wallace**

**D81193**

**1170**

Motion:

REFER TO COURT FOR CONSIDERATION OF SENTENCE RECALL BECAUSE: THE PRISONER IS MEDICALLY INCAPACITATED AS DEFINED IN PENAL CODE SECTION 1170(E)(2)(C). THE CONDITIONS UNDER WHICH THE PRISONER WOULD BE RELEASED OR RECEIVE TREATMENT DO NOT POSE A THREAT TO PUBLIC SAFETY AS REFERENCED IN PENAL CODE SECTION 1170(E)(2)(B).

Motion by:

Adams

Second by:

Arbaugh

Aye:

Adams, Arbaugh, Branch, Doyle, Ferguson, Garner, Gillingham, Peck, Prizmich

Nay:

Abstain:

Not Present:

Anderson, Jr., Melanson

**Decision:**

**Refer to Court**

**RIVERA, Alphonso D**

**C73992**

**1170**

Motion:

REFER TO COURT FOR CONSIDERATION OF SENTENCE RECALL BECAUSE: THE PRISONER IS MEDICALLY INCAPACITATED AS DEFINED IN PENAL CODE SECTION 1170(E)(2)(C). THE CONDITIONS UNDER WHICH THE PRISONER WOULD BE RELEASED OR RECEIVE TREATMENT DO NOT POSE A THREAT TO PUBLIC SAFETY AS REFERENCED IN PENAL CODE SECTION 1170(E)(2)(B).

Motion by:

Branch

Second by:

Peck

Aye:

Arbaugh, Branch, Doyle, Garner, Gillingham, Peck

Nay:

Adams, Ferguson, Prizmich

Abstain:

Not Present:

Anderson, Jr., Melanson

**Decision:**

**Refer to Court**

**En Banc Review**

Pursuant to Government Code section 11126(c)(4)

**ADAMS, Edward Spradley**

**D42265**

**Governor Referred**

Motion:

AFFIRM THE AUGUST 10, 2010, PROPOSED SUITABILITY DECISION.

Motion by:

Garner

Second by:

Peck

Aye:

Adams, Doyle, Garner, Gillingham, Peck

Nay:

Arbaugh, Branch, Ferguson, Prizmich

Abstain:

Not Present:

Anderson, Jr., Melanson

**Decision:**

**Affirm**

**BRANDON, Bruce****J04743****Governor Referred**

Motion: AFFIRM THE SEPTEMBER 22, 2010, PROPOSED SUITABILITY DECISION.  
Motion by: Gillingham  
Second by: Adams  
Aye: Adams, Arbaugh, Branch, Doyle, Ferguson, Garner, Gillingham, Peck  
Nay: Prizmich  
Abstain:  
Not Present: Anderson, Jr., Melanson  
**Decision: Affirm**

**EDWARDS, Cornelius****D74803****Referred by Decision Review**

Motion: DISAPPROVE THE NOVEMBER 4, 2010, PROPOSED SUITABILITY DECISION AND SCHEDULE FOR A REHEARING TO MODIFY THE RELEASE DATE TO NOVEMBER 4, 2012.  
Motion by: Prizmich  
Second by: Gillingham  
Aye: Adams, Arbaugh, Branch, Doyle, Ferguson, Garner, Gillingham, Peck, Prizmich  
Nay:  
Abstain:  
Not Present: Anderson, Jr., Melanson  
**Decision: Rehearing**

**ESPINOZA, Michael Lee****C10194****Referred by Decision Review**

Motion:  
Motion by:  
Second by:  
Aye:  
Nay:  
Abstain:  
Not Present:  
**Decision: Cancellation**