

**BOARD OF PAROLE HEARINGS**  
**En Banc Decisions**  
**Tuesday, May 20, 2008**

**En Banc Review Decisions**

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

- 1. AGUAYO, Jose** **V-56836** **Compassionate Release**  
Decision: Decline to refer to court for consideration of sentence recall.  
Motion by: Prizmich  
Second by: Doyle  
Aye: Anderson, Arbaugh, Biggers, Bryson, Davis, Doyle, Eng, Garner, Martinez, Prizmich, Shelton  
No:  
Abstain:  
Not Present:
- 2. HAVERSTOCK, James** **D-60488** **Compassionate Release**  
Decision: Decline to refer to court for consideration of sentence recall.  
Motion by: Anderson  
Second by: Shelton  
Aye: Anderson, Arbaugh, Biggers, Bryson, Davis, Doyle, Eng, Garner, Martinez, Prizmich, Shelton  
No:  
Abstain:  
Not Present:
- 3. BRUNER, Garry Lee** **Traditional Pardon**  
Decision: Motion recommending that the Governor grant the pardon request failed due to lack of majority vote.  
Motion by: Shelton  
Second by: Eng  
Aye: Biggers, Doyle, Eng, Garner, Shelton  
No: Anderson, Bryson, Davis, Martinez, Prizmich  
Abstain: Arbaugh  
Not Present:
- 4. FOLEY, Richard Thomas** **Traditional Pardon**  
Decision: The Board recommends that the Governor decline to grant the pardon request.  
Motion by: Bryson  
Second by: Prizmich  
Aye: Anderson, Biggers, Bryson, Davis, Doyle, Eng, Garner, Martinez, Prizmich, Shelton  
No:  
Abstain: Arbaugh  
Not Present:

**5. CALLEY, Clinton** **E-18628** **Governor Referred**

Decision: Affirm the February 8, 2007 suitability decision  
release date to be consistent with the findings of the  
February 14, 2008 progress hearing.

Motion by: Eng  
Second by: Anderson  
Aye: Anderson, Biggers, Bryson, Davis, Doyle, Eng, Garner,  
Martinez, Prizmich, Shelton

No:  
Abstain: Arbaugh  
Not Present:

**6. VALENZUELA, Alejandro** **J-87682** **Governor Referred**

Decision: Affirm the 11/27/07 suitability decision.

Motion by: Anderson  
Second by: Biggers  
Aye: Anderson, Arbaugh, Biggers, Bryson, Davis, Doyle, Eng,  
Garner, Martinez, Prizmich, Shelton

No:  
Abstain:  
Not Present: