



En Banc Decision

BOARD OF PAROLE HEARINGS

Tuesday, July 16, 2019

SAM, THEAR

K92440

Governor-referred pursuant to Penal Code section 4802

Sentencing Courts: San Luis Obispo and Los Angeles

Motion: On the application of Thear Sam for pardon of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a pardon of sentence.

Motion by: Cassady

Second by: Ruff

Not present: Castro, Long

Abstained: LaBahn

Decision: Motion approved by a majority of the commissioners present.

REYNOLDS, CURTIS

N71987

Governor-referred pursuant to Penal Code section 4802

Sentencing Courts: San Luis Obispo and Los Angeles

Motion: On the application of Curtis Reynolds for pardon of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a pardon of sentence.

Motion by: Dobbs

Second by: Roberts

Not present: Castro, Long

Abstained:

Decision: Motion approved by a majority of the commissioners present.

PIERCE, CEDRIC

J24758

Governor-referred pursuant to Penal Code section 4802

Sentencing Courts: Santa Clara

Motion: On the application of Cedric Pierce for commutation of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a commutation of sentence.

Motion by: Grounds

Second by: Anderson

Not present: Castro, Long

Abstained: Chappell

Decision: Motion approved by a majority of the commissioners present.

FLORES, ESDVIN

K36891

Governor-referred pursuant to Penal Code section 4802

Sentencing Courts: Los Angeles

Motion: On the application of Esdvin Flores for commutation of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a commutation of sentence.

Motion by: Minor

Second by: LaBahn

Not present: Castro, Long

Abstained:

Decision: Motion approved by a majority of the commissioners present.

DUTY, ROBERT

K74606

Penal Code section 1170(e)

Sentencing Court: Siskiyou

Motion: **Recommend to the court that Mr. Duty's sentence be recalled and that Mr. Duty be resentenced, based on a finding that he is terminally ill with an incurable disease that would produce death within six months and the conditions under which Mr. Duty would be released would not pose a threat to public safety (to live in a hospice facility).**

Motion by: LaBahn

Second by: Cassady

Not Present: Castro, Long

Abstained:

Decision: **Motion approved by a majority of the commissioners present.**

DEALBA, DANIEL

AP6710

Referred by Chief Counsel

Sentencing Court: Los Angeles

Motion: **Vacate the panel's May 2, 2019 decision to grant parole and schedule a new hearing based on new information regarding Mr. Dealba's alleged institutional misconduct on June 25, 2019.**

Motion by: Grounds

Second by: Roberts

Not Present: Castro, Long

Abstained:

Decision: **Motion Approved by a majority of the commissioners present.**

EDMUND, ANDRE

H72419

Referred by Chief Counsel

Sentencing Court: Los Angeles

Motion: Vacate the panel's April 11, 2019 decision to deny parole and schedule a new hearing on the next available calendar.

Motion by: Dobbs

Second by: Sharrieff

Not Present: Castro, LaBahn, Long

Abstained:

Decision: Motion not approved by a majority of the commissioners present.

EDMUND, ANDRE

H72419

Referred by Chief Counsel

Sentencing Court: Los Angeles

Motion: Affirm the panel's April 11, 2019 decision to deny parole as articulated in the panel's proposed decision.

Motion by: Cassady

Second by: Roberts

Not Present: Castro, LaBahn, Long

Abstained: Dobbs

Decision: Motion approved by a majority of the commissioners present.

RICHARDS, MICHELLE

W63146

Referred by Chief Counsel

Sentencing Court: San Diego

Motion: Refer for a rescission hearing to consider whether the panel's March 20, 2019 grant of parole was improvident, based on new confidential information dated June 14, 2019.

Motion by: Cassady

Second by: Anderson

Not Present: Castro, Long

Abstained: Minor

Decision: Motion approved by a majority of the commissioners present.

FARARJI, SHADI

P50386

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's April 9, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Schneider

Second by: LaBahn

Not Present: Castro, Dobbs, Long

Abstained:

Decision: Motion approved by a majority of the commissioners present.

GRAVELY, REGINALD

BB8330

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Riverside

Motion: Affirm the panel's March 12, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Taira

Second by: Chappell

Not Present: Castro, Grounds, Long

Abstained:

Decision: Motion approved by a majority of the commissioners present.

HENDRIX, NATHAN

BA2652

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Butte

Motion: Refer for a rescission hearing to consider whether the panel's March 13, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated June 14, 2019, and order a new Comprehensive Risk Assessment.

Motion by: Chappell

Second by: Sharrieff

Not Present: Castro, LaBahn, Long

Abstained: Anderson

Decision: Motion approved by a majority of the commissioners present.

RICHARDS, MICHELLE

W63146

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Refer for a rescission hearing to consider whether the panel's March 20, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated June 28, 2019.

Motion by: Barton

Second by: Chappell

Not Present: Cassady, Castro, Long

Abstained: Minor

Decision: Motion approved by a majority of the commissioners present.

SALCEDO, ALBERTO

K56293

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's April 18, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Roberts

Second by: Cassady

Not Present: Castro, Dobbs, Long

Abstained:

Decision: Motion approved by a majority of the commissioners present.

SAVAGE, JUSTIN

V28475

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Affirm the panel's March 20, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: LaBahn

Second by: Dobbs

Not Present: Castro, Long, Roberts

Abstained: Ruff

Decision: Motion approved by a majority of the commissioners present.

THERMIDOR, STANLEY

P19344

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Orange

Motion: Refer for a rescission hearing to consider whether the panel's April 10, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated June 28, 2019.

Motion by: Taira

Second by: Barton

Not Present: Castro, Long

Abstained:

Decision: Motion approved by a majority of the commissioners present.

WATSON, STEPHEN

G24160

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Fresno

Motion: Affirm the panel's April 18, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Ruff

Second by: Minor

Not Present: Castro, Grounds, LaBahn, Long, Roberts, Schneider

Abstained:

Decision: Motion approved by a majority of the commissioners present.

PEREZ, ROSALIO

P39666

Tie Vote pursuant to Penal Code section 3041

Sentencing Court: Los Angeles

Motion: **The Board affirms the panel's denial of parole for five years for the reasons stated by the panel member who voted to deny parole for five years at Mr. Perez's June 5, 2019 hearing.**

Motion by: Sharrieff

Second by: Dobbs

Not Present: Castro, Grounds, LaBahn, Long, Roberts

Abstained:

Decision: **Motion approved by a majority of the commissioners present.**

DELGADO, ALEZANDER

D18618

Tie Vote pursuant to Penal Code section 3041

Sentencing Court: Los Angeles

Motion: **The Board affirms the panel's denial of parole for five years for the reasons stated by the panel member who voted to deny parole for five years at Mr. Delgado's June 6, 2019 hearing.**

Motion by: Dobbs

Second by: Anderson

Not Present: Castro, Grounds, LaBahn, Long, Roberts, Sharrieff

Abstained:

Decision: **Motion approved by a majority of the commissioners present.**