



En Banc Decisions **BOARD OF PAROLE HEARINGS**

Monday, April 18, 2022

BRITTON, TERRY
D03658

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)
Sentencing Court: Los Angeles

Motion: Vacate the panel's January 26, 2022 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Long

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

HARRIS, DATON
H40985

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)

Sentencing Court: Los Angeles

Motion: Vacate the panel's December 29, 2021 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Ruff

Second by: Sullivan

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

BOATMAN, JEFFREY
E06607

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Kern

Motion: Affirm the panel's November 17, 2021 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Cassady

Second by: Garcia

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained: Ruff

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

ELLIOT, DOUGLAS

C80363

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 October 27, 2021 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated March 18, 2022.

Motion by: Barton

Second by: Ruff

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

GARAY, JOE

AN7133

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Orange

Motion: Affirm the panel's October 7, 2021 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Nwajei

Second by: Long

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

JONES, LARRY

J03345

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 December 9, 2021 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated March 25, 2022.

Motion by: Ruff

Second by: Barton

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

LINKE, HAROLD

P26615

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Affirm the panel's October 12, 2021 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: San Juan

Second by: Cassady

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

MUSLADIN, MATTHEW

J99556

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Santa Clara

Motion: Affirm the panel's October 6, 2021 decision to grant parole, as articulated in the panel's proposed decision, with a special condition of parole that MATTHEW MUSLADIN participate in a certified batterer's program for a minimum duration of one year, at the direction of his parole agent.

Motion by: Sharrieff

Second by: Garcia

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

SCOTT, ROBERT

P17118

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Placer

Motion: Affirm the panel's October 6, 2021 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Sullivan

Second by: Ruff

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

TYBERG, CHARLES

D56352

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Orange

Motion: Affirm the panel's October 14, 2021 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: San Juan

Second by: Long

Not Present: Chappell, Dobbs, Minor, Purcell, Schneider, Taira, Thornton

Abstained:

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

IRIARTE, JERARDO

AK0423

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Luis Obispo

Motion: Affirm the panel's October 27, 2021 decision to grant parole, as articulated in the panel's proposed decision, with the special condition of parole that JERARDO IRIARTE promptly report to a Behavioral Health Reintegration Program for evaluation.

Motion by: Sullivan

Second by: Barton

Not Present: Chappell, Dobbs, Minor, Purcell, Ruff, Schneider, Taira, Thornton

Abstained:

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

PROVENCIO, SAMMY

AT7548

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Stanislaus

Motion: Affirm the panel's November 9, 2021 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Cassady

Second by: Sullivan

Not Present: Chappell, Dobbs, Minor, Purcell, Ruff, Schneider, Taira, Thornton

Abstained:

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

SMITH, KONOLUS

G06539

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: El Dorado

Motion: Affirm the panel's October 15, 2021 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Garcia

Second by: Barton

Not Present: Chappell, Dobbs, Minor, Purcell, Ruff, Schneider, Taira, Thornton

Abstained:

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