



**En Banc Decisions**  
**BOARD OF PAROLE HEARINGS**

**Monday, October 16, 2023**

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**COTA, LEE**

**AI3158**

**Tie Vote pursuant to Penal Code section 3041**

Sentencing Court: San Diego

**Motion:** The Board finds that Lee Cota poses an unreasonable risk of danger and denies parole for three years for the reasons stated by the panel member who voted to deny parole at Lee Cota's September 26, 2023 hearing.

Motion by: Barton

Second by: Chappell

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**LEIVA, JANETTA**

**W57175**

**Tie Vote pursuant to Penal Code section 3041**

Sentencing Court: Kern

**Motion:** The Board finds that Janetta Leiva poses an unreasonable risk of danger and denies parole for three years for the reasons stated by the panel member who voted to deny parole for three years at Janetta Leiva's September 7, 2023 hearing. In making this decision, the Board gave great weight to the youthful offender factors as required under Penal Code section 4801, subdivision (c).

Motion by: Dobbs

Second by: Cassady

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

Abstained: Nwajei

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

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**YNIGUEZ, RONALD**

**P81421**

**Tie Vote pursuant to Penal Code section 3041**

Sentencing Court: Monterey

**Motion:** The Board finds that Ronald Yniguez poses an unreasonable risk of danger and denies parole for three years for the reasons stated by the panel member who voted to deny parole for three years at Ronald Yniguez's September 27, 2023 hearing.

Motion by: Cassady

Second by: Minor

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**JUAREZ, MANUEL**

**V64790**

**Referred by the Chief Counsel under California Code of Regulations, title 15, section 2450 et seq., and referred by the Governor under Penal Code section 3041.1**

Sentencing Court: Los Angeles

**Motion:** Refer for a rescission hearing to consider whether the panel's May 3, 2023 grant of parole was improvident, based on new confidential information dated October 5, 2023, which the panel finds reliable, and the concerns cited in the Governor's referral letter dated August 25, 2023.

Motion by: Long

Second by: Weiss

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**WISINSKIS, KENNETH  
K82373**

**Referred by the Chief Counsel under California Code of Regulations, title 15,  
section 2450 et seq., and referred by the Governor under Penal Code section 3041.1**  
Sentencing Court: Los Angeles

**Motion:** Refer for a rescission hearing to consider whether the panel's May 2, 2023 grant of parole was improvident, based on new confidential information dated August 30, 2023, which the panel finds reliable, and the concerns cited in the Governor's referral letter dated August 25, 2023.

Motion by: Long

Second by: Chappell

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**AGUILAR, HECTOR  
D18043**

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

**Motion:** Vacate the panel's July 6, 2023 decision to grant parole based on new confidential information dated October 4, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Long

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**COLE, BOOKER  
BA0453**

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

Sentencing Court: Los Angeles

**Motion:** Vacate the panel's July 21, 2023 decision to grant parole based on new confidential information dated August 6, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Ndudim

Second by: Cassady

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**OTH, VEASNA  
V05242**

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

Sentencing Court: San Joaquin

**Motion:** Vacate the panel's August 18, 2023 decision to grant parole based on new confidential information dated September 28, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Dobbs

Second by: Barton

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**BALBUENA, JAVIER**  
**D95846**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: San Bernardino

**Motion:** Affirm the panel's April 13, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Cassady

Second by: O'Meara

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**BERINTI, STEVE**  
**V72913**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's April 13, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Infante

Second by: Nwajei

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**CONTRERAS, RALPH**  
**AC0066**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Kern

**Motion:** Affirm the panel's May 4, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Long

Second by: Cassady

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**GARCIA, PEDRO**

**P24383**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Riverside

**Motion:** Affirm the panel's June 8, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Ndudim

Second by: Chappell

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**GRANADOS, JOSE**

**AI2614**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's April 13, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the special condition of parole that Jose Granados shall participate in an anger management program at the direction of their parole agent.

Motion by: Nwajei

Second by: Ndudim

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**LUSTER, RICKEY**

**F50279**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's April 25, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: O'Meara

Second by: Barton

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**MCNABB, DYLAN**

**AX5202**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Kern

**Motion:** Affirm the panel's April 25, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the Board imposes the following special conditions of parole: (1) continue with your substance abuse relapse prevention and recovery efforts (Alcoholic Anonymous, Narcotics Anonymous, or equivalent non-religious efforts); (2) do not possess or consume alcohol; (3) submit to random testing for alcohol; (4) do not enter any establishment where you know or reasonably should know the sale or consumption of alcohol is the establishment's primary source of business (including bars and liquor stores); (5) do not possess or consume marijuana; and (6) submit to random testing for marijuana.

Motion by: Taira

Second by: Cassady

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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**ZAMORA, JUAN**

**AL1770**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Orange

**Motion:** Affirm the panel's June 6, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Cassady

Second by: Taira

Not Present: Garland, Kozel, Muñiz, Purcell, Ruff, Schneider, Sharrieff, Thornton

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

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