



En Banc Decisions (Amended)
BOARD OF PAROLE HEARINGS

Tuesday, October 17, 2023

BADDIE, DEREK

AB7088

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

Sentencing Court: Alameda

Motion: Vacate the panel's July 11, 2023 decision to grant parole based on new confidential information dated September 19, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Sharrieff

Second by: Ruff

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

BOWEN, RICHARD

P14514

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

Sentencing Court: San Diego

1st Motion: Vacate the panel's August 8, 2023 decision to grant parole based on new confidential information dated September 24, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Purcell

Second by: Muñiz

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

2nd Motion: Vacate the October 17, 2023 en banc decision to vacate the August 8, 2023 decision to grant parole, based on a clarification of information in the record.

Motion by: Schneider

Second by: Minor

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

3rd Motion: Affirm the panel's August 8, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Sharrieff

Second by: Purcell

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

BRIMMER, JERRY

AW4780

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

Sentencing Court: Riverside

Motion: Vacate the panel's August 16, 2023 decision to grant parole based on new confidential information dated September 21, 2023 and October 4, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Dobbs

Second by: Garland

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

EARL, MITCHELL

D00741

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

Sentencing Court: Los Angeles

1st Motion: Vacate the panel's July 28, 2023 decision to grant parole based on new confidential information dated September 19, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Ruff

Second by: Chappell

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

2nd Motion: Affirm the panel's July 28, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: Garland

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

NOWLING, KYLE

AG3683

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

Sentencing Court: San Diego

Motion: Vacate the panel's August 8, 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: Garland

Second by: Muñiz

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

OBANNON, VINCENT

T85072

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

Sentencing Court: Santa Clara

Motion: Vacate the panel's August 8, 2023 decision to grant parole based on new confidential information dated October 2, 2023 and October 4, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Chappell

Second by: Garland

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

RHOADES, GREGORY
E73249

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

Sentencing Court: Shasta

Motion: Vacate the panel's July 14, 2023 decision to grant parole based on new confidential information dated September 27, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Purcell

Second by: Long

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

ROLLISON, MITCHELL
T63236

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

Sentencing Court: Los Angeles

Motion: Vacate the panel's July 28, 2023 decision to grant parole based on new confidential information dated October 2, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Long

Second by: Sharrieff

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

EVANS, SAMUEL
D89387

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Bernardino

Motion: Affirm the panel's April 26, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Garland

Second by: Sharrieff

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

FUQUA, KEVIN
D89032

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Sacramento

Motion: Refer for a rescission hearing to consider whether the panel's May 5, 2023 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated September 29, 2023.

Motion by: Kozel

Second by: Dobbs

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

GOMEZ, GERARDO
G09114

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's May 19, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Muñiz

Second by: Kozel

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

HALL, TERRY
T73984

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Affirm the panel's May 3, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Ruff

Second by: Schneider

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

HEATH, THOMAS
AK8052

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Ventura

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

Motion by: Schneider

Second by: Long

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

Abstained: Chappell

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

MALECHA, TYE
V12538

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Sacramento

Motion: Affirm the panel's May 24, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Sharrieff

Second by: Purcell

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

MAZARIEGO, JUAN

AH8475

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Santa Clara

Motion: Refer for a rescission hearing to consider whether the panel's May 26, 2023 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated September 14, 2023.

Motion by: Garland

Second by: Kozel

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

Abstained: Minor

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

MOBED, ZAL

BE4324

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Orange

Motion: Affirm the panel's May 12, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the special condition of parole that Zal Mobed shall promptly report all dating relationships to their parole agent.

Motion by: Minor

Second by: Schneider

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

ROJAS, ARTHUR
T27520

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's June 1, 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) do not actively participate in, promote, further, or assist in any prison gang, disruptive group, or criminal street gang activity, as enumerated in Penal Code section 186.22, subdivision (e)(1)(A)-(Z), nor violate any gang abatement, injunction, ordinance, or court order. Do not associate with anyone you know, or should know, is a member of a prison gang, disruptive group, or criminal street gang, without prior written approval from a parole agent, nor wear or carry on your person gang colors or any sign, symbol, or paraphernalia you know, or should know, to be associated with gang activity, (2) you shall not drive or operate a motor vehicle, with the exception of to and from your required appointments with your parole agent, driving to and from work, and as required to perform any duties of employment, and (3) participate in a certified Batterer's Program, at the direction of your parole agent.

Motion by: Muñiz

Second by: Kozel

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

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

TRENT, GERARD
B33578

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's May 2, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: Long

Not Present: Barton, Cassady, Infante, Ndudim, Nwajei, O'Meara, Taira, Weiss

Abstained: Ruff

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

ZUNIGA, ANGELA

WF6312

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Monterey

Motion: Affirm the panel's May 3, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Sharrieff

Second by: Purcell

Not Present: Barton, Cassady, Infante, Long, Ndudim, Nwajei, O'Meara, Taira, Weiss

Abstained: Muñiz

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