



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

**Wednesday, August 23, 2023**

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**BROWN, EDRICK**

**V70186**

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

Sentencing Court: Sacramento

**Motion:** The Board finds that Edrick Brown 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 Edrick Brown's June 30, 2023 hearing.

Motion by: Barton

Second by: Schneider

Not Present: Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton

Abstained:

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

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**COX, STEVEN**

**P56817**

**Governor-referred under Penal Code section 4802 to review a pardon application**

Sentencing Courts: Sacramento, Yolo

**Motion:** On the application of Steven Cox for a pardon, 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.

Motion by: Chappell

Second by: Purcell

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira,

Thornton Abstained:

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

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**TINNEY, BRIAN**

**K15709**

**Governor-referred under Penal Code section 4802 to review a pardon application**

Sentencing Court: San Diego

**Motion:** On the application of Brian Tinney for a pardon, 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.

Motion by: Purcell

Second by: Chappell

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira,

Thornton Abstained:

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

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**ABURTO, RAFAEL**

**T67570**

**Panel-Referred pursuant to Penal Code section 3041, subdivision (a)(5)**

Sentencing Court: Sacramento

**Motion:** Vacate the panel's July 20, 2023 decision to grant parole based on a lack of credibility, lack of self-awareness, continued criminal thinking, and confidential information dated June 24, 2018, which the panel finds reliable. Schedule a new hearing on the next available calendar.

Motion by: Nwajei

Second by: Ndudim

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira,

Thornton Abstained:

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

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**BURNSIDE, JR., CARL**

**E94164**

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

Sentencing Court: Sacramento

**Motion:** Vacate the panel's June 6, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Cassidy

Second by: Sharrieff

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz,

Taira, Thornton Abstained:

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

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**GUTIERREZ, JOE**

**AM3565**

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

Sentencing Court: Los Angeles

**Motion:** Vacate the panel's June 14, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Kozel

Second by: Sharrieff

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz,

Taira, Thornton Abstained:

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

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**JONES, EFREM**

**AK8690**

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

Sentencing Court: Alameda

**Motion:** Vacate the panel's May 24, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Purcell

Second by: Chappell

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz,

Taira, Thornton Abstained:

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

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**RAMIREZ, OMAR**

**F72217**

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

Sentencing Court: Los Angeles

**Motion:** Vacate the panel's June 1, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Schneider

Second by: O'Meara

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz,

Taira, Thornton Abstained:

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

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**REYNOLDS, TIMOTHY**

**C35135**

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

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's May 10, 2023 decision to deny parole for three years, as articulated in the panel's proposed decision.

Motion by: Ndudim

Second by: Cassidy

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, O'Meara,

Taira, Thornton

Abstained: O'Meara

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

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**BENITEZ, JOSEPH  
F01519**

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

Sentencing Courts: Lassen, Riverside

**Motion:** Affirm the panel's April 12, 2023 decision to grant parole, as articulated in the panel's proposed decision. The Board adds the following special condition of parole: do not contact or communicate with your alleged crime partners, without prior written approval from a parole agent.

Motion by: Sharrieff

Second by: Purcell

Not Present: Barton, Cassady, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton

Abstained:

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

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**JACKSON, JR., WILLIE  
C33593**

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

Sentencing Court: Fresno

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

Motion by: Ruff

Second by: Schneider

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton Abstained:

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

**Motion:** Refer for a rescission hearing to consider whether the panel's April 4, 2023 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated July 28, 2023.

Motion by: Cassady

Second by: Nwajei

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton Abstained:

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

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**MADAYAG, MICHAEL**  
**J65158**

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

Sentencing Courts: Kings, Monterey

**Motion:** Affirm the panel's March 30, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Schneider

Second by: Cassady

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton

Abstained: Chappell

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

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**MARIA, JEFFREY**  
**C17317**

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

Sentencing Courts: Merced, Stanislaus

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

Motion by: Kozel

Second by: O'Meara

Not Present: Barton, Cassady, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton

Abstained:

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

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**MARINERO, NATALY**  
**X33148**

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

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's March 14, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Purcell

Second by: Sharrieff

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton

Abstained:

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

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**MILLER, HUTTON**

**P59402**

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

Sentencing Court: San Diego

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

Motion by: Cassady

Second by: Chappell

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, O'Meara, Taira, Thornton

Abstained:

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

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**RODRIGUEZ, ANDREW**

**T44352**

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

Sentencing Court: Orange

**Motion:** Affirm the panel's February 17, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: O'Meara

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton

Abstained:

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

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**RODRIGUEZ, ERNESTO**

**T03800**

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

Sentencing Court: Merced

**Motion:** Affirm the panel's April 14, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Schneider

Second by: Nwajei

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira, Thornton

Abstained:

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

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**SALGADO, HIGINIO**

**AU0347**

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

Sentencing Court: San Diego

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

Motion by: Barton

Second by: Schneider

Not Present: Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira,

Thornton Abstained:

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

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**YI, CHARLES**

**V68290**

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

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's March 7, 2023 decision to grant parole, as articulated in the panel's proposed decision. The Board adds the following special conditions of parole: (1) do not participate in any gambling activities, and (2) do not enter any establishment where you know or reasonably should know that gambling is the establishment's primary source of business.

Motion by: Ndudim

Second by: Chappell

Not Present: Barton, Dobbs, Garcia, Garland, Long, Minor, Muniz, Taira,

Thornton Abstained:

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

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