

MINUTE ORDER
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE PRINTED: 11/25/13

CASE NO. BA312388

THE PEOPLE OF THE STATE OF CALIFORNIA
VS.
DEFENDANT 01: BRUCE VAN MALKENHORST

INFORMATION FILED ON 05/18/07.

COUNT 01: 424 PC FEL
COUNT 02: 424 PC FEL

ON 05/26/11 AT 830 AM IN CENTRAL DISTRICT DEPT 109

CASE CALLED FOR PRETRIAL CONF/TRIAL SETTING

PARTIES: KATHLEEN KENNEDY (JUDGE) LORRAINE TOWNSEND (CLERK)
LYNN EVANS (REP) SEAN HASSETT (DA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY MICHAEL ARTAN PRIVATE COUNSEL

DEFENDANT ADVISED OF AND PERSONALLY AND EXPLICITLY WAIVES THE FOLLOWING RIGHTS:

TRIAL BY COURT AND TRIAL BY JURY

CONFRONTATION AND CROSS-EXAMINATION OF WITNESSES;

SUBPOENA OF WITNESSES INTO COURT TO TESTIFY IN YOUR DEFENSE;

AGAINST SELF-INCRIMINATION;

DEFENDANT ADVISED OF THE FOLLOWING:

THE NATURE OF THE CHARGES AGAINST HIM, THE ELEMENT OF THE OFFENSE IN THE
INFORMATION AND POSSIBLE DEFENSES TO SUCH CHARGES;

THE POSSIBLE CONSEQUENCES OF A PLEA OF GUILTY OR NOLO CONTENDERE, INCLUDING THE
MAXIMUM PENALTY AND ADMINISTRATIVE SANCTIONS AND THE POSSIBLE LEGAL EFFECTS
AND MAXIMUM PENALTIES INCIDENT TO SUBSEQUENT CONVICTIONS FOR THE SAME OR
SIMILAR OFFENSES;

THE EFFECTS OF PROBATION;

IF YOU ARE NOT A CITIZEN, YOU ARE HEREBY ADVISED THAT A CONVICTION OF THE
OFFENSE FOR WHICH YOU HAVE BEEN CHARGED WILL HAVE THE CONSEQUENCES OF
DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF
NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.

PAGE NO. 1

PRETRIAL CONF/TRIAL SETTING
HEARING DATE: 05/26/11

CASE NO. BA312388
DEF NO. 01

DATE PRINTED 11/25/13

COUNSEL FOR THE DEFENDANT JOINS IN THE WAIVERS AND CONCURS IN THE PLEA.

COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND EXPLICITLY MADE;

UPON MOTION OF DEFENDANT, PLEA TO COUNT 02 VACATED AND SET ASIDE, AND NEW AND DIFFERENT PLEA OF GUILTY ENTERED.

COUNT (02) : DISPOSITION: CONVICTED

COURT FINDS THAT THERE IS A FACTUAL BASIS FOR DEFENDANT'S PLEA, AND COURT ACCEPTS PLEA.

THE COURT AND COUNSEL CONFER REGARDING THE STAY OF PROCEEDINGS BY THE SUPREME COURT.

THE COURT FINDS THAT DEFENDANT'S PETITION FOR REVIEW HAS BEEN DISMISSED AND THE STAY IMPOSED BY THE SUPREME COURT HAS BEEN LIFTED.

THE DEFENDANT ENTERS A CHANGE OF PLEA TO COUNT 2 AT THIS TIME.

STIPULATION FOR FACTUAL BASIS, AS MORE FULLY REFLECTED IN THE NOTES OF THE COURT REPORTER.

NEXT SCHEDULED EVENT:
SENTENCING

DEFENDANT WAIVES ARRAIGNMENT FOR JUDGMENT AND STATES THERE IS NO LEGAL CAUSE WHY SENTENCE SHOULD NOT BE PRONOUNCED. THE COURT ORDERED THE FOLLOWING JUDGMENT:

AS TO COUNT (02):

IMPOSITION OF SENTENCE SUSPENDED

DEFENDANT PLACED ON FORMAL PROBATION

FOR A PERIOD OF 003 YEARS UNDER THE FOLLOWING TERMS AND CONDITIONS:

PLUS \$40.00 COURT SECURITY ASSESSMENT (PURSUANT TO 1465.8(A) (1) P.C.)

\$30.00 CRIMINAL CONVICTION ASSESSMENT (PURSUANT TO 70373 G.C.)

TOTAL DUE: \$70.00

THE COURT ORDERS A SUPPLEMENTAL PROBATION REPORT. (SEE COMMENTS FOR SPECIFIC INSTRUCTIONS, IF ANY.)

IN ADDITION:

-THE DEFENDANT IS TO PAY A RESTITUTION FINE PURSUANT TO SECTION

PAGE NO. 2 PRETRIAL CONF/TRIAL SETTING
HEARING DATE: 05/26/11

CASE NO. BA312388
DEF NO. 01

DATE PRINTED 11/25/13

1202.4(B) PENAL CODE IN THE AMOUNT OF \$ 10,000

-DEFENDANT IS ORDERED TO PAY A PROBATION REVOCATION RESTITUTION FINE PURSUANT TO PENAL CODE SECTION 1202.44, IN THE AMOUNT OF \$ 10,000 THIS FINE SHALL BECOME EFFECTIVE UPON THE REVOCATION OF PROBATION.

-KEEP PROBATION OFFICER ADVISED OF YOUR RESIDENCE AND WORK AND HOME TELEPHONE NUMBERS AT ALL TIMES.

-SUPPORT DEPENDENTS AS DIRECTED BY THE PROBATION OFFICER.

-SUBMIT YOUR PERSON AND PROPERTY TO SEARCH AND SEIZURE AT ANY TIME OF THE DAY OR NIGHT, BY ANY PROBATION OFFICER OR OTHER PEACE OFFICER, WITH OR WITHOUT A WARRANT, PROBABLE CAUSE OR REASONABLE SUSPICION.

COURT ORDERS AND FINDINGS:

-DEFENDANT TO REPORT TO THE PROBATION OFFICER ON OR BEFORE 6-1-11.

-PURSUANT TO PC SECTION 296, THE DEFENDANT IS ORDERED TO PROVIDE BUCCAL SWAB SAMPLES, A RIGHT THUMB PRINT, A FULL PALM PRINT IMPRESSION OF EACH HAND, ANY BLOOD SPECIMENS OR OTHER BIOLOGICAL SAMPLES AS REQUIRED BY THIS SECTION FOR LAW ENFORCEMENT IDENTIFICATION.

-DEFENDANT IS TO MAKE RESTITUTION TO THE VICTIM PURSUANT TO PENAL CODE SECTION 1202.4(F), IN THE AMOUNT OF \$ 60,000. TO BE PAID TO THE CITY OF VERNON AND PROVIDE PROOF TO THE COURT OR THE PROBATION DEPARTMENT BEFORE THE NEXT HEARING DATE.

-OBEY ALL LAWS AND ORDERS OF THE COURT.

-OBEY ALL RULES AND REGULATIONS OF THE PROBATION DEPARTMENT.

-X#2059808

THE COURT HAS READ AND CONSIDERED THE PROBATION REPORT.

THE DEFENDANT IS ORDERED TO SHOW PROOF OF PAYMENT OF FINES AND FEES BY THE NEXT HEARING DATE.

MATTER IS CONTINUED FOR PROGRESS REPORT ON THE DATE AND TIME INDICATED BELOW.

COUNT (02): DISPOSITION: CONVICTED

REMAINING COUNTS DISMISSED:

COUNT (01): DISMISSED DUE TO PLEA NEGOTIATION

DMV ABSTRACT NOT REQUIRED

PAGE NO. 3

PRETRIAL CONF/TRIAL SETTING
HEARING DATE: 05/26/11

CASE NO. BA312388
DEF NO. 01

DATE PRINTED 11/25/13

NEXT SCHEDULED EVENT:
08/24/11 830 AM PROGRESS REPORT DIST CENTRAL DISTRICT DEPT 109

11/25/13

I HEREBY CERTIFY THIS TO BE A TRUE AND CORRECT COPY OF THE ELECTRONIC MINUTE
ORDER ON FILE IN THIS OFFICE AS OF THE ABOVE DATE.

SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK OF SUPERIOR COURT, COUNTY OF LOS
ANGELES, STATE OF CALIFORNIA

BY  _____, DEPUTY

PAGE NO. 4

PRETRIAL CONF/TRIAL SETTING
HEARING DATE: 05/26/11

EX. 84 - 4