

CASE NO. SF112495 A DATE: 05/10/10 TIME: 08:30 AM DEPT.: 14

PEOPLE VS. HUCKABY, MELISSA CHANTEL (DOB: 02/23/81)

JUDGE: LINDA LOFTHUS, JUDGE CLERK: LETICIA MOSQUEDA
REPORTER: JENNIFER WHITLOCK BAILIFF: ROD MCGOWEN

NATURE OF PROCEEDINGS: MOTION SETTING.

CHARGES: 1. PC 187 W/PC 190.2(A)(17)(B)

DEFENDANT PRESENT IN CUSTODY.

DEPUTY PUBLIC DEFENDER SAM BEHAR PRESENT FOR THE DEFENSE

ATTORNEY MICHAEL BURT PRESENT FOR THE DEFENSE.

DEPUTY DISTRICT ATTORNEY TOM TESTA PRESENT FOR THE
PEOPLE.

INDICTMENT AMENDED TO STRIKE THE PC 209 ON LINE 17 1/2
AND TO ADD THE VERBAGE WITHIN THE MEANING OF PC 190.2
(A)(17)(B).

DEFENDANT ADVISED OF, UNDERSTOOD, AND KNOWINGLY AND
VOLUNTARILY WAIVED ALL THE FOLLOWING RIGHTS: THE
PRIVILEGE AGAINST SELF-INCRIMINATION, THE RIGHT TO A
JURY TRIAL, AND THE RIGHT TO CONFRONT AND CROSS-EXAM
WITNESSES AGAINST HER, AFTER QUESTIONING THE DEFENDANT
THE COURT DETERMINED THAT THE DEFENDANT UNDERSTOOD THE
NATURE OF THE CHARGE, THE ELEMENTS OF THE OFFENSE, THE
PLEAS AVAILABLE THERETO, THE POSSIBLE DEFENSES THERERO,
THE POSSIBLE RANGE OF PENALTIES AND OTHER CONSEQUENCES
OF DEFENDANT'S PLEA (INCLUDING THE EFFECT.

TO TESTIFY ON HER OWN BEHALF..

TO A COURT TRIAL.

TO CONSEQUENCES OF CONVICTION PURSUANT TO SECTION
1016.5PC (ALIEN).

DEFENDANT ADVISED THIS IS 1 STRIKE.

COURT ASKED IF ANY PROMISES OR RECOMMENDATION HAD BEEN
MADE TO HIM/HER BY DISTRICT ATTORNEY OR HIS/HER COUNSEL
OR BY ANYONE ELSE AS TO WHAT THE PUNISHMENT COULD OR
MIGHT BE.

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DEFENDANT REQUESTS AND IS GRANTED PERMISSION TO WITHDRAW
PLEA OF NOT GUILTY.

DEFENDANT ENTERED A PLEA OF GUILTY TO COUNT 1.

ENHANCEMENT NUMBER 1 PURSUANT TO PC 190.2(A)(17)(B) AS
ALLEGED IN COUNT 1 IS ADMITTED.

ENHANCEMENT NUMBER 2 PURSUANT TO PC 190.2(A)(17)(E) AS
ALLEGED IN COUNTY 1 IS STRICKEN.

ENHANCEMENT NUMBER 3 PURSUANT TO PC 190.2(A)(17)(K) AS
ALLEGED IN COUNT 1 IS STRICKEN.

COURT FINDS A FACTUAL BASIS FOR THE PLEA BASED ON GRAND
JURY TRANSCRIPT.

THE DEFENSE ATTORNEY CONCURRED WITH THE DEFENDANTS PLEA
AND ADMISSION.

THE COURT FOUND THE PLEA KNOWLEDGEABLE, INTELLIGENT AND
VOLUNTARY.

COURT ACCEPTED PLEA.

PROSECUTION CONCURRED WITH THE DEFENDANT'S PLEA AND
ADMISSION.

COUNT 2 DISMISSED ON MOTION OF DEPUTY DISTRICT ATTORNEY
TOM TESTA. REASON FOR DISMISSAL OR DISCHARGE: INTEREST
OF JUSTICE IN VIEW OF PLEA TO 1.

COUNT 3 DISMISSED ON MOTION OF DEPUTY DISTRICT ATTORNEY
TOM TESTA. REASON FOR DISMISSAL OR DISCHARGE: INTEREST
OF JUSTICE IN VIEW OF PLEA TO 1.

COUNT 4 DISMISSED ON MOTION OF DEPUTY DISTRICT ATTORNEY
TOM TESTA. REASON FOR DISMISSAL OR DISCHARGE: INTEREST
OF JUSTICE IN VIEW OF PLEA TO 1.

COUNT 5 DISMISSED ON MOTION OF DEPUTY DISTRICT ATTORNEY
TOM TESTA. REASON FOR DISMISSAL OR DISCHARGE: INTEREST
OF JUSTICE IN VIEW OF PLEA TO 1.

DEFENDANT REFERRED TO PROBATION DEPARTMENT FOR REPORT
NOTIFY PROBATION DEPARTMENT RE: PRE-SENTENCE REPORT.

DEFENDANT TO BE CONTACTED AT THE COUNTY JAIL

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P & J SET ON 06/14/2010 AT 8:30 A.M. IN STOCKTON
SUPERIOR COURT, DEPT. 14.

DEFENDANT ORDERED PRESENT.

PROSECUTION REQUESTS THAT THE GAG ORDER BE LIFTED.
DEFENSE COUNSEL JOIN IN ON REQUEST. COURT DENIES REQUEST
AT THIS TIME UNTIL FURTHER NOTICE..

BAIL TO REMAIN IN NO BAIL STATUS.

ENTERED IN CJIS BY LETICIA MOSQUEDA DATE 05/10/2010.

PROBATION DEPARTMENT NOTIFIED.

CC: ---- SHARON MORRIS.

CUSTODY STATUS:
DEFENDANT TO REMAIN IN CUSTODY.