

NAME: HUNTER, JERICE YATON

CASE NO(S): VCR180941 VE

OTHER ORDERS

- Pay Fine \$ ... plus penalty assessment
Pay \$ ...
Security fee per 1405.6(a)(1) PC.
SHOW PROOF OF:
Fine / fees, paid in full by
Restriction paid by
FTA Clearance by
Re-enroll DMV class/8838
Complete by
Restricted license granted

PROB. VIOLATION PROC. PROGRESS REPT.

- Def: admit denied, probation violation, based on:
Court: void direct defendant, submit waiver of rights,
Court accepts admission after knowing, other (waiver of rights, finding admission to be true & voluntary with adequate factual basis)
Def's witness(es):
Def's witness(es):
Court: finds def. in violation,
dismisses the violation, No action taken,
revokes probation, based on:

- Referred for: 60, 90, Progress report
Reported to proba: today, by / on:
Def. to meet with:
Probation is: Revoked and Reinstated,
continued, same terms/conditions, full force & effect.

reinstated - SEE PROBATION ORDER FOR MODIFICATION(S)

- terminated as: voided/set off / successful
Pet. granted per 1203.4 PC. Guilty/nois plea withdrawn, or guilty verdict set aside, not guilty plea entered. Case dismissed / reduced to misd. per 117 PC
Pet. granted per 1210.1(a) PC. plus set aside. Case dismissed
Any unfulfilled terms in this case are transferred to Case No.
Restriction enforceable as civil judgment per 1203.4(j) PC.

JAIL COMMITMENT / CUSTODY STATUS

SERVE days / months in jail. Fortwith
stay in jail of fine or in lieu of community service
suspended / all fees paid

CTS: days - 4019 PG time - Total
cont / commec with

Alternative sentencing program
Work thorough only recommended denied
Work relevant only recommended denied
S.M.R. only recommended denied

Report to ASP SDF within 3 working days
Delinquent is not eligible for these credits:
good time/work time day for day day for day work
BOOK & RELEASE by (Mon - 4 pm, Tuesday thru Friday)

Pay jail fees of \$ per day of custody.
Jail fees waived
Serve 1 day for each \$ of fine unpaid
or pay the fine \$

RESERVED until next appearance - NO DATE RELEASE.
As previously set 1276 PG APPLIED
Bail set at \$ No Bail Cash only

Reduced/increased to \$ Prev. bond set/for
until picked up by authorized.
Allowed phone calls at County expense
limited to min. or during normal business hrs
Allowed visits contact visit(s) with:

at law Sheriff's discretion
contact visit shall not delay defendant's transport to CDC
Reason to P.D. for program screening placement
Refer for ROR CTS report.

RELEASED / CONTINUED Request for DR granted / denied

DR SDR BAIL DEJ PROBATION
In custody (other cases) INTP INTD PENDING
RELEASE PENDING OTHER HOLDS

Release conditions:
Obey all laws
Truly abstain from the use of alcohol / other drugs
Submit to random drug testing 2x per wk
AA/NA testing may be changed at PO's discretion.
Search & seizure Do not possess drug paraphernalia
Do not enter any public place where the primary business is or depends on an intoxicating liquor.
Attend AA or NA mtg. per wk / mo In days
Bring proof to court
Do not drive without a valid driver's license
Make & keep appointment with attorney / Probation
Do not possess any weapons or ammo without
No contact No inmates contact with Stay away from

Do not harass, annoy, threaten
CLETS order signed, filed, faxed. Served on defendant.
Other:

TO THE SHERIFF: I CERTIFY THE FOLLOWING TO BE A TRUE COPY OF THE JUDGMENT RENDERED ON THIS DATE BY THE ABOVE-NAMED JUDGE

LINDA Q. ASHCRAFT, CLERK / CPO BY J. Dean

DEFENDANT, DO NOT HAVE TO APPEAR IN PERSON, PROSECUTOR REQUEST THAT
Defendant agrees to appear at all times and places as ordered by any court in which or any magistrate judge preside, the charge is pending or defendant
prohibits in any way the defendant's conditions imposed by the court or magistrate. Defendant prohibits not to appear for prosecution in favor of the court by defendant agreed to
in any jurisdiction if the defendant fails to appear as required. And it is ordered that the State of California and its defendant address a judgment that has been rendered of the
consequence and penalties applicable to violation of the conditions of release.
Defendant understands that if charged with a misdemeanor or an infraction and released and within 14 to 30 days (time to go to a residence or may be
provided by court) must appear in court, or if charged with a felony must appear in court within 30 days of the arrest.
Defendant understands that if charged with a felony and released on bail, the bail is \$20,000.00. A quality of the bail may be provided by not more than three (3)
years in state prison or the 10-year county jail and a bond to secure appearance order \$20,000.00 or less.

DEFENDANT:
ADDRESS:
DOB: PHONE NO:
Witness: Date:
Interpreter: Date:

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO  
Criminal Minute Order

PEOPLE OF THE STATE OF CALIFORNIA vs

CASE NO (S): VCR180941 VF

DATE: 8-22-06

JUDGE/COMM: Jode

REPORTER: Hodges

CLERK: J. Dean

HUNTER, JERICE YATON

Defendant  present  not present

PEOPLE: T. Ray Deputy D.A.

DEFENSE: J. Gitch  
 Private  P.D.  C.D.

INTERPRETER  
 Spanish

Court(s) / Charges(s): 273d(a) -PC, 273d(a) -PC, 273d(a) -PC, 273d(a) -PC

Def. I.D. #: @394833

DOB: 10/13/1973 Dr. License #: \_\_\_\_\_

Def. Status: CJ

Arrest Agency: VJPD

Booking #: 05-14570 D.A. #: V053478

Creation #: \_\_\_\_\_

Violation Date: 04/20/2005

THIS CASE IS ASSIGNED TO JUDGE \_\_\_\_\_ DEPT \_\_\_\_\_ FOR ALL PURPOSES

ARR / FUR. ARR  COUNSEL/PLEA  POSS DISM  
 ADMIT/DENY  REV PROC  PROG RPT  
 PT  RC  RCSP  RCTS  TRC  JS  SUPP. RPT.  
PT & S

Advised pursuant to §967.6 PC.  Financial statement filed.  
Def.  eligible  ineligible, for court-appointed counsel.

\$ \_\_\_\_\_ P.D. registration fee  ordered  waived.  
 declares conflict, relieved as counsel.

Court appoints \_\_\_\_\_ to represent def.

Def. waives counsel.  §977(b) PC waiver filed.

Waives arraignment  Waives advice of rights

Arraigned  Advised of rights

Def.'s true name  above stated

Handed  jury  def.  Amended  Complaint  Information

Discov.  Police rept  Transcript  INTP  PENDING

Court grants DA's Motion to Amend to  Add  Reduce

Cnt(s) \_\_\_\_\_ Section(s) \_\_\_\_\_

Def. pleads:  Def. withdraws previous plea(s) & pleads

Not Guilty  Not Guilty by Reason of Insanity

Guilty  Nolo Contendere

to  all count(s)  count(s) \_\_\_\_\_

section(s) \_\_\_\_\_

Criminal proceedings  suspended  reinstated

Def. ordered to complete D.A. Diversion.

Def. placed on informal Diversion for 6 months re dismissal.

Pursuant to  Peo vs West  §17 PC  §1192.5 PC

Reserve right to file demurrer.

Admit  Deny \_\_\_\_\_ Prior(s)

Admit  Deny \_\_\_\_\_ Enhancement(s)

Def. voir dired by  Crt  Counsel.  Submits waiver of rights

SEE DEFERRED ENTRY OF JUDGMENT ORDER.

Based on Nolo plea Court finds defendant guilty.

Court accepts plea and finds  plea is free & voluntary

intelligent waiver of rights is given

factual basis established based on  stipulation

police rept  prelim transcript  admission

Case  Count(s) \_\_\_\_\_ DISMISSED.

on motion of  DA  Court  w/ Harvey waiver

Referral waived.  w/ Restitution

Time  Waived  10 / 60  Not Waived  Pro Rata

for  Trial  J&S  Last day for PX.

SEE PROBATION ORDER.

Referred to Probation for report re:  pre-sentence  supp rpt

SOR  CTS  placement

Def. to report to Prob.  today  by \_\_\_\_\_

Probation Officer to interview defendant.

Counsel request setting  \$995  \$1538.5  Discovery

motion.

Defense file motion by \_\_\_\_\_

DA respond by \_\_\_\_\_; Def. answer by \_\_\_\_\_

MINUTE ORDER  WAIVER TO PROB. ON 8/24/06

Form #405 Rev 5/30/06

BENCH WARRANT / BAR. ORDERS

B / W  Ordered - Bail \$ \_\_\_\_\_  NO CITE RELEASE

Cash Only  No Bail  Stayed  To issue  Remain out

OR / SOR Revoked  DEJ Revoked  Probation Revoked

Vacated  Recalled from  S.O.

Bail  Forfeited -  Bond # \_\_\_\_\_

Cash  In lieu of fine

Court finds valid excuse for defendant's failure to appear.

Reinstated  Exonerated  after 15 days if no Comp. filed.

Reassumption of liability filed.  Forfeiture set aside.

Time  Waived  Pro Rata \_\_\_\_\_  Not Waived

for  Trial  J&S

Jury Trial  Demanded -- Est. time for trial \_\_\_\_\_ days

Waived  Confirmed  Vacated \_\_\_\_\_

Set or TRLC (or see below) \_\_\_\_\_ at \_\_\_\_\_ Dept. \_\_\_\_\_

Last date for trial \_\_\_\_\_ NG Plea date \_\_\_\_\_

SEE PAGE 3 RE: Prison

On Motion of  Court  DA  Defense  Probation,

CONT. TO \_\_\_\_\_ AT \_\_\_\_\_

DEPT \_\_\_\_\_, FOR: (See below)

Further Arraignment

S.O.R / CTS Report

Counsel / Plea

Stay on Bench Warrant

Setting: \_\_\_\_\_

Motions / Ruling on Motions

Change of Plea

Possible Dismissal

Pretrial Conference  TRC

RC  RCSP  RCTS  TMC

Court / JURY Trial -  Calling  \$1551 PC Proceedings

Preliminary Hearing -  Confirmed

Long Cause M. C.  VACATE \_\_\_\_\_

date \_\_\_\_\_ Further Proc. re: \_\_\_\_\_

time \_\_\_\_\_

dept \_\_\_\_\_

Formal Revocation Hearing, re: \_\_\_\_\_

\_\_\_\_\_

Other \_\_\_\_\_

Def.'s appear. waived if \_\_\_\_\_

OTHER COURT DATE: \_\_\_\_\_ AT \_\_\_\_\_

DEPT \_\_\_\_\_, FOR \_\_\_\_\_

James Fitch, Esq.

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January 25, 2006

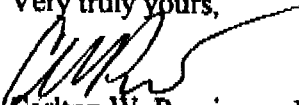
RE: HUNTER, JERICE Y.

were inflicted upon her during her own childhood. In this case the situation appears to clearly be the latter.

At some juncture Ms. Hunter will need a spectrum of psychological treatment services. She will need psychotherapy to help her to come to terms with her intense hatred of her mother. She will need to acquire some anger management tools in general. She will need a series of parenting classes to help her acquire more healthy and productive methods for disciplining and for caring for her children.

Thank you for the opportunity to examine and to advise in this case, and please do not hesitate to contact me in the event there are any additional questions.

Very truly yours,



Carlton W. Purviance, Ph.D.

CWP: sjm

James Fitch, Esq.  
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January 25, 2006

RE: HUNTER, JERICE Y.

was about 2 months away from delivering a baby. She has most recently worked for a local grocery store as a clerk and stocker, however in July 2005 she sustained a work-related injury to her knee and has been off on a Workers Compensation disability. Following her arrest on the current matter the defendant was in custody at the Fairfield jail for about two months before she bailed out on December 22, 2005. She told me she was shocked to recently learn that her husband (and co-defendant) is a registered sex offender. She told me she has no plans to ever reunite with her husband.

### MENTAL STATUS EXAMINATION

The mental status exam revealed a tearful and dysphoric 32-year-old woman who was alert, lucid, well oriented, logical, and coherent in all her utterances. No signs of significant impairment were noted in her level of consciousness, attention span, concentration, capacity for abstract thought, overall memory functioning, or intelligence. There were no signs to indicate a psychotic process, thought disorder, major affective disorder, or signs suggestive of organic brain dysfunctioning. The defendant is in the midst of a situational or acute stress disorder, with disturbances of both mood and anxiety. The personal and social history was not consistent with someone with criminal and/or antisocial attitudes or personality traits. There is a deeply-imbedded rage in this person which is primarily directed at the mother.

The diagnostic findings on Axis I include Adjustment disorder with mixed anxiety and depressed mood (309.28 DSM-IV) and Cannabis dependence disorder in early full remission by defendant's report (304.30 DSM-IV).

### SUMMARY AND CONCLUSIONS

Jerice Yaton Hunter is a 32-year-old woman who finds herself accused of torturing her 7-year-old daughter, and of causing corporal injuries to three of her other children. At the request of defense counsel Ms. Hunter was examined at my office on January 18, 2006 in an effort to identify the relevant psychological issues, if any.

The defendant has admitted that her punitive actions toward the 7-year-old daughter were excessive and wrongful. She was/is clearly caught up in the so-called "cycle of abuse", and she was repeating with her own child what she had been repeatedly subjected to by her mother when she was a child. In part, the daughter became the focus of the anger and hatred that resides in the defendant which is directed primarily at the mother.

As I understand it, the crime of torture requires the specific intent to express cruelty, and to cause extreme pain and suffering in the victim. The mental state of the perpetrator would therefore seem to be very important. For example, whether the act was carried out in a cool and calculating manner by a person seeking a specific outcome or result, and who is not in an extreme emotional state, or whether the act was carried out by someone full of anger and rage who is repeating violent acts that

James Fitch, Esq.  
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The defendant takes issue with the validity of the allegations regarding the 14-year-old boy, the 9-year-old girl, and the 3-year-old daughter. She also states that she did not, in her view, torture her 7-year-old daughter. She did admit that she was guilty "of whipping my (7-year-old) daughter too much for her stealing... I was told she was bleeding from the marks from the extension cord... That's how I was raised by my mother (Ms. Shirley Johnson) and she did the same thing to me..." The defendant wept during this disclosure, and it was clear that she understood she had behaved wrongfully just as her mother had wrongfully behaved toward her during her formative and childhood years. Ms. Hunter continued to elaborate: "I whipped my daughter like she whipped me, but I do want to say to you that I don't want my daughter to feel toward me like I feel toward my mother. I hate her guts. She's evil. She's one of those people who should never have had children... She's a good actress, too." In regards to the allegations regarding her other children, Ms. Hunter remarked: "There are a lot of lies being told by my kids, by CPS, and by my mother..."

At the present time the defendant is living by herself in Vallejo. She states her only prior contact with the criminal justice system occurred in Alameda County in 1995 when an assault charge against her was dismissed. She states she was helping to defend her sister against an attack of some sort.

The relevant personal and social history is that Ms. Hunter was born in Phoenix, Arizona 32 years ago, the first of three children born to Shirley Johnson. Her father was employed as a baggage handler at an airport and her mother is a Registered Nurse who is employed as a "floater" at various local hospitals. The mother was described as having had a serious problem with crack cocaine, PCP, and the abuse of various prescribed drugs. Around your clients 6<sup>th</sup> year her mother began to physically beat her. The authorities were aware of this violence and abuse, and the defendant's two younger sisters were removed from the home some time later and placed in foster care and in a group home. The defendant's parents separated when Ms. Hunter was about 10- or 11-years-old after the father grew weary of the mother's violence ("she kept stabbing him"). As the years went by the abuse intensified. One vivid example was recalled when the mother took a spiked-heel shoe and beat the defendant about the head with it. Her scalp was lacerated and probably required professional medical care. Instead "she patched it up herself and had me lie about how I got it". Ms. Hunter isn't certain when she was sexually molested by a maternal uncle, however she wasn't able to summon the courage to tell her volatile and abusive mother about it until she was 14-years-old. Predictably she was not believed by the mother. The most recent mother-daughter episode occurred in 2001 when the mother threw an object at the then 27-year-old defendant and hit her in the head with it. Your client left home at age 17 after an episode described this way: "She came home on drugs. She was high. She started beating me. I was pregnant (with her now 14-year-old son) and the father stopped her from hitting me in the stomach with a broom stick. When he did that she threw me out of the house."

Around the defendant's 18<sup>th</sup> year she began smoking marijuana, and over the years she developed a dependency upon this substance. She states she stopped using "the day after Christmas" because she

CARLTON W. PURVIANCE, Ph.D.  
1416 TENNESSEE ST., SUITE 3A  
VALLEJO, CALIFORNIA 94590-4647  
(707) 552-6397  
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January 24, 2006

James Fitch, Esq., Deputy Conflict Defender  
Satellite Office  
Solano Justice Building  
321 Tuolumne Street  
Vallejo, CA 94590

RE: HUNTER, JERICE Y.  
CASE NO.: VCR180941  
PSYCH EXAM: §1017 EvC  
APPEARS: 1/30/06in Dept. 17

Dear Mr. Fitch:

At Carol Long's request I completed a confidential psychological evaluation of Ms. Jerice Hunter. This examination took place at my office on January 18, 2006 and consisted of a clinical interview, a review of the pertinent history, and a mental status examination. Prior to seeing the defendant I had the opportunity to review the police reports, the criminal complaint, and Ms. Long's correspondence to me of December 6, 2005 regarding this matter. Ms. Hunter understood the nature and purpose of the examination, including the confidential aspect, and she was entirely cooperative with the process.

#### RELEVANT HISTORY

As you know this is a 32-year-old woman who, along with her husband/co-defendant, is accused of torturing her 7-year-old daughter. She is also accused of causing corporal injury to her 14-year-old son, her 9-year-old daughter, the 7-year-old daughter, and a 3-year-old daughter. I understand that she is potentially exposed to a life term if convicted of the torture allegation. The co-defendant is not the biological father of any of the above victims. However, he is the father of your client's 11-month-old daughter.

Ms. Hunter was examined at my office on January 18, 2006. She was calm, cooperative, responsive, and accessible. She wept silently on a number of occasions, however this did not impede effective communication with her or impair accessibility to her. She appeared to be candid and forthright in her remarks, and she seemed to believe what she told me represented the truth as she saw it.

Ms. Hunter is fully informed as to the nature and purpose of the pending criminal charges, and she is keenly aware of the peril existing for her if convicted. Moreover she has the capacity or ability to cooperate with you in a rational manner, and she told me she is looking forward to working with you in this matter.

1 Rule 4.421(b)(1): "The defendant engaged in violent conduct which indicates a danger to  
2 society." The conduct of the defendant certainly was a danger to her children, but not to anyone  
3 else. She was acting not out of malice, but out of misplaced training she had received in her own  
4 childhood, that could be directed only at her own children. No one else is, or was, ever at risk.  
5 Defendant now realizes the wrongfulness of her actions and is determined to see that it never  
6 happens again. This should not be considered as a factor in aggravation.

7 Given that the circumstances in mitigation outweigh the circumstances in aggravation,  
8 Defendant respectfully submits that the low term is the appropriate term, if a state prison  
9 commitment is made.

10 Concurrent vs consecutive

11 Rule 4.425(a)(1), (2), (3): While the offenses happened at different times, and over a  
12 period of time, the crimes all had the same ongoing objective - to discipline the defendant's  
13 children. Defendant sought to deter them from conduct, such as stealing, that she saw would lead  
14 to jail, if it were not stopped. The source of the defendant's overzealous application of discipline  
15 was her own upbringing, which prepared her badly for her role as a mother. Although the  
16 offenses took place over a period of time, and involved separate incidents, they are all part of a  
17 single, ongoing, period of aberrant behavior.

18 Defendant respectfully submits that, if a state prison commitment is made, concurrent  
19 sentencing is appropriate, rather than consecutive sentencing.  
20  
21

22 DATED: 4-30-06

  
23 JAMES FITCH  
24 Deputy Conflict Defender  
25  
26  
27  
28

1 Based on the above related facts and factors, the defendant respectfully asks that the court  
2 grant her probation.

3  
4 II

5 IF THE COURT DOES NOT GRANT PROBATION, THE LOW TERM IS APPROPRIATE

6 Circumstances in mitigation

7 Rule 4.423(a)(3), (4): The crime was committed because of an unusual circumstance,  
8 namely the defendant's own upbringing and training, that taught her the behavior at issue. While  
9 this is not a defense, Defendant is now fully aware of the wrongfulness of her actions and is  
10 committed to obtaining the necessary counseling, therapy, and treatment to be sure it never  
11 happens again.

12 Rule 4.423(b)(1): As even probation notes, the defendant has "an insignificant record."

13 Rule 4.423(b)(2): The defendant was suffering from a mental condition that significantly  
14 reduces culpability, namely the defendant's own upbringing and training, that taught her the  
15 behavior at issue. While this is not a defense, Defendant is now fully aware of the wrongfulness  
16 of her actions and is committed to obtaining the necessary counseling, therapy, and treatment to  
17 be sure it never happens again.

18 Rule 4.423(b)(3): The defendant acknowledged wrongdoing at an early stage of the  
19 proceedings. She admitted it to the police, and plead before a preliminary hearing took place.

20 Rule 4.423(b)(6): As conceded by probation, the defendant's prior performance on  
21 probation was satisfactory.

22 Circumstances in aggravation (per probation)

23 Rule 4.421(a)(2): "The defendant was armed with and used an extension cord during the  
24 commission of the crimes." This is true.

25 Rule 4.432(a)(3): "The victims were particularly vulnerable." This is inherent in any and  
26 every felony child abuse charge and therefore should not be considered as a factor in aggravation.

27 Rule 4.421(a)(4): "The defendant induced her husband to participate." This is true.  
28



1 Rule 4.414(b)(7): Defendant is extremely remorseful. She is devastated by the physical  
2 and emotional trauma she now realizes she has inflicted on her children. She is determined to  
3 make sure it does not happen again. She is engaged in group and individual counseling to that  
4 end. Her primary goal is to repair the damage done, to the extent possible, and to see her family  
5 reunified.

6 Rule 4.414(b)(8): Contrary to what probation asserts, there is virtually no likelihood that  
7 the defendant will be a danger to anyone if not imprisoned, and especially not her children. Her  
8 children are currently wards of the court, subject to Welfare and Institutions Code §300  
9 proceedings. They do not reside with her. Any contact she has with them is closely supervised.  
10 They will not reside with her without the approval of the family court, and except under such  
11 conditions as that court may impose. With her new awareness of the quality of her actions, the  
12 defendant is committed to making sure that there is no recurrence. She is engaged in group and  
13 individual counseling to make sure of that. She is prepared to engage in any program or therapy  
14 to that end that the court may direct.

15 Probation, after noting that the defendant has little criminal history, and even that is from  
16 a long time ago (1995), and after noting that the current offense is "neither more nor less serious  
17 as compared to other instances of the same crime," and after noting that her single previous  
18 performance on misdemeanor probation was satisfactory, goes on to recommend a state prison  
19 commitment. State prison will remain an option available to the court, should the defendant not  
20 perform on probation. Defendant is committed to obtaining the counseling, treatment, and  
21 therapy she needs to avoid any recurrence of the events that so affected her children, and which  
22 brought her here. Almost certainly she will not receive the sort of counseling she requires in the  
23 state prison system. Any chance the family has of mending itself, and of mending the  
24 psychological damage done, will be obliterated by a state prison commitment. Nobody will be  
25 endangered by placing the defendant on probation. Any interaction between the defendant and  
26 her children will be monitored by CPS and the family court.  
27  
28

1 Dr. Carleton Purviance). Defendant is extremely remorseful. She cannot discuss what she did  
2 without crying. She is committed to making sure that it never happens again and is engaged in  
3 parenting classes and individual counseling to that end.

4 Rule 4.414(b)(1): Defendant is 32 years old Her prior criminal history is minor, as  
5 probation concedes. This is her first felony conviction.

6 Rule 4.414(b)(2): Defendant's prior performance on probation was satisfactory. In other  
7 words, the defendant can be expected to comply with the terms of probation.

8 Rule 4.414(b)(3): Defendant is willing to comply with the terms of probation.

9 Rule 4.414(b)(4): Defendant's ability to comply with the terms of probation are best  
10 indicated by her ability to do so in the past (see Rule 4.414(b)(2), above). She has good family  
11 support, and does not abuse alcohol or drugs. She has occasionally smoked marijuana (about 4  
12 times a year), but understands that that must end. She has no problem with that. She has job  
13 skills, and was employed until recently. She is currently on disability as the result of an injury.

14 Rule 4.414(b)(5): As probation notes, there would be a substantial negative impact upon  
15 the defendant if she were imprisoned. Her only previous incarceration was a 30 day sentence in  
16 1995. She is emotionally and physically fragile. There is an ongoing Welfare and Institutions  
17 Code §300 case related to the instant situation with the reunification of the defendant and her  
18 children as its goal. That case is presently on "hold" waiting this court's decision in this case.  
19 The reunification process would be fatally disrupted by imprisonment in the state prison,  
20 preventing any possibility of reunification. Any possibility of mending the damage already done  
21 to this family would be ended. Certainly the defendant's children will not be any better off should  
22 the defendant be imprisoned. Child Protective Services and the court in the 300 case will closely  
23 monitor, supervise, and control any interaction between the defendant and her children.

24 Rule 4.414(b)(6): There will likely be adverse collateral consequences on the defendant's  
25 life as a result of the felony conviction, specifically employability. These can only be further  
26 complicated by imprisonment, as opposed to rehabilitation.

1 Vanessa Perry, SBN 124489  
2 Solano County Conflict Defender  
3 James F. Fitch SBN 99662  
4 Deputy Conflict Defender  
5 321 Tuolumne Street  
6 Vallejo, CA 94590  
7 (707) 553-5671

**FILED**  
Clerk of the Superior Court

MAY 01 2006

LINDA G. ASHCRAFT  
By *Linda G. Ashcraft*  
DEPUTY CLERK

9 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 IN AND FOR THE COUNTY OF SOLANO

13 THE PEOPLE OF THE STATE )  
14 OF CALIFORNIA, )

15 Plaintiff )

16 -vs- )

17 JERICE HUNTER, )

18 Defendant )

No. VCR180941

DEFENDANT'S STATEMENT IN  
MITIGATION

DATE: 5-1-2006

TIME: 8:30 a.m.

DEPT: 17

TRIAL DATE: N/A

20 Defendant respectfully submits the following statement regarding her sentencing:

21 I

22 THE POLICIES EXPRESSED BY RULES OF COURT 4.414 SUPPORT PROBATION

23 Rule 4.414(a)(1): As conceded by probation, "the instant offense is neither more nor less  
24 serious as compared to other instances of the same crime."

25 Rule 4.414(a)(7): Defendant's dysfunctional upbringing, particularly as it involved  
26 parenting skills, is a major contributing factor to the instant situation. (see the attached report by  
27  
28

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO**

[ ] 600 Union Avenue, Fairfield, California 94533  
[ x ] 321 Tuolumne Street, Vallejo, California 94590

**CERTIFICATE AND AFFIDAVIT OF MAILING**

**Case No.: VCR180941**


I, the undersigned, certify under penalty of perjury that I am employed as a judicial assistant of the above-entitled court and not a party to the within-entitled action; that I served the attached **ORDER FOR PLACEMENT, DELIVERY AND RETURN PURSUANT TO PENAL CODE SECTION 1203.03** by causing to be placed a true copy thereof in an envelope which was then sealed and postage fully prepaid on the date shown below: that I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service; that this notice will be deposited in the United States Postal Service on the date indicated. Said envelope was addressed to the attorneys for the parties, or the parties, [ ] as shown thereon [ x ] as shown below:

Terry Ray  
Deputy District Attorney  
675 Texas Street, Ste. 4500  
Fairfield, California 94533  
*(Via Inter-County Mail)*

Jim Fitch  
Deputy Conflict Defender  
321 Tuolumne Street  
Vallejo, California 94590  
*(Via Inter-County Mail)*

Sheriff's Department (2 copies)  
Attn: Receiving Sgt. Rondo Sands  
*(Via Sheriff's Court Transport)*

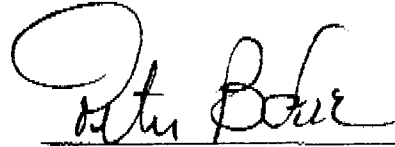
Dated: MAY 22 2006

  
\_\_\_\_\_  
JEANETTE DAVIS, Declarant

1           3) The Sheriff of Solano County shall deliver said defendant to the custody of the  
2 Director of Corrections at Chowchilla State Prison.

3           4) Prior to the expiration of the ninety (90) day period, the Director of Corrections  
4 shall notify the Sheriff of Solano County of defendant's availability for return to Solano  
5 County Jail, and without further order of the court, the Sheriff shall return defendant, giving  
6 notice to the Court of defendant's return.

7 Dated: May 19, 2006



**PETER B. FOOR**  
**Judge of the Superior Court**

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**FILED**  
Clerk of the Superior Court

MAY 22 2006

LINDA G. ASHCRAFT  
By *L. Ashcraft*  
DEPUTY CLERK

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO  
DEPARTMENT SEVENTEEN**

\* \* \* \* \*

People of the State of California,  
  
Plaintiff,  
  
vs.  
  
**JERICE Y. HUNTER,**  
  
Defendant

Case No.: VCR180941

**ORDER FOR PLACEMENT  
DELIVERY AND RETURN PURSUANT  
TO PENAL CODE SECTION 1203.03**

The above-named defendant having been duly convicted of a violation of Penal Code Section 273d(a) (four counts), and the Court having concluded that a just disposition of the case requires placement in such a diagnostic facility as the Department of Corrections.

**IT IS THEREFORE ORDERED:**

- 1) That the above-named defendant be placed temporarily in a diagnostic facility for a period of not to exceed ninety (90) days in accordance with the provisions of Penal Code Section 1203.03.
- 2) The Director of the Department of Corrections shall report to the Court his/her diagnosis and recommendations concerning the above-named defendant within said ninety (90) days.

NAME: HUNTER, JERICE YATON

CASE NO(S): VCR180941 VF

OTHER ORDERS

- Pay Fine \$ ... plus penalty assessment
Pay \$ ... Restitution Fine per 1202.4 PC plus \$ ... (10%) Admin. fee
Security fee per 1485.8(a)(1) PC.
SHOW PROOF OF: Compliance will vacate appearance date
Fine / fees, paid in full by
hra Comin Serv/Volunteer work by
Restitution paid by
FTA Clearance in by
Re-enroll DUI class/BB3B/

- Complete by Thru Prob Court
Restricted license granted: to, from, during employment, DUI school / program, jail

PROB. VIOLATION PROC. PROGRESS REPT.

Def't admits denies, probation violation, based on:
new violation(s) in Case # , or

Counsel voir dire defendant submits waiver of rights.
Court accepts admission after knowing, intelligent waiver of rights, finding admission to be free & voluntary with adequate factual basis.
Peo's witness(es):

Def's witness(es):

Court finds def't. in violation
dismisses the violation. No action taken.
revokes probation, based on:

Referred for Supplemental Progress report.

Report to Probation today by
Probation is: continued same terms/conditions full force & effect.

reinstated - SEE PROBATION ORDER FOR MODIFICATION(S).

terminated as successful unsuccessful
Pet. granted per §1203.4 PC reduced to misd. per §17 PC
Pet. granted per 1210.1(d) PC. Case dismissed.
Any unfulfilled terms in transferred to Case #

JAIL COMMITMENT / CUSTODY STATUS

SERVE days / months in jail. Forthwith
Stay to at am / pm
In lieu of fine In lieu of community service
suspended / all susp but

CTS: days + 4019 PC time = Total
conc consec with

Alternative sentencing program recommended denied
Work furlough only recommended denied
Work release only recommended denied
E.M.R. only recommended denied

Report to PROFESSIONAL MONITORING SDF
within 3 working days

BOOK & RELEASE by (8 am - 4 pm, Monday thru Friday)

Pay jail fees of \$ per day of custody.
Jail fees waived.
Serve 1 day for each \$ of fine unpaid
or pay the fine \$

REMANDED until next appearance - NO CITE RELEASE.
As previously set 1275 PC APPLIES

Bail set at \$ No Bail Cash only
Reduced/increased to \$ Prev. bond applies

Until picked up by authorities.

Allowed phone calls at County expense
limited to min. ea. during normal business hrs
Allowed visit(s) contact visit(s) with:

at the Sheriff's discretion
contact visit shall not delay defendant's transport to CDC.

Release to P.O. for program screening placement
Refer for SOR CTS report.

RELEASED / CONTINUED

OR SOR BAIL DEJ PROBATION
in custody other case(s) INTP INTP PENDING
RELEASE PENDING OTHER HOLDS

Release conditions: Obey all laws
Totally abstain from the use of alcohol illicit drugs.
Submit to alcohol drug testing X's per wk
Search & seizure.
Do not enter any public place where the primary item sold or dispensed is an intoxicating liquor.
Attend AA or NA mtgs. per wk / mo in days
Bring proof to court.
Do not drive without a valid driver's license.
Make & keep appointment with attorney / Probation.
Do not possess any weapons or ammunition.
No contact No uninvited contact with Stay away from

Do not harass, annoy, threaten
CLETS order signed, filed, faxed. Served on defendant.
Other:

TO THE SHERIFF: I CERTIFY THE FOREGOING TO BE A TRUE COPY OF THE JUDGMENT RENDERED ON THIS DATE BY THE ABOVE-NAMED JUDGE.

LINDA G. ASHCRAFT, CLERK / CEO BY [Signature]

DEFENDANT, BEING RELEASED ON HIS / HER OWN RECOGNIZANCE AGREES THAT:
1) Defendant promises to appear at all times and places, as ordered by any court in which, or any magistrate before whom, the charge is pending;
2) defendant promises to obey all reasonable conditions imposed by the court or magistrate;
3) defendant promises not to depart this state without leave of the court;
4) defendant agrees to waive extradition if the defendant fails to appear as required and is apprehended outside the State of California; and,
5) defendant acknowledges (s)he has been informed of the consequences and penalties applicable to violation of the conditions of release.
Defendant understands that if charged with a misdemeanor or an infraction and released and willfully fails to appear, (s)he is guilty of a misdemeanor and may be punished by not more than six (6) months in county jail, a one thousand dollar (\$1,000) fine, or both.
Defendant understands that if charged with a felony and released and willfully fails to appear, (s)he is guilty of a felony and may be punished by not more than three (3) years in state prison, or one (1) year in county jail and a fine not to exceed ten thousand dollars (\$10,000) or both.

DEFENDANT ADDRESS Witness Date
DOB: PHONE NO. Interpreter Date

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO  
Criminal Minute Order

PEOPLE OF THE STATE OF CALIFORNIA vs

CASE NO (S): YCR180941 VF

DATE: 1-30-06

JUDGE/COMM: Foor

REPORTER: Hodges

CLERK: B. McFall

HUNTER, JERICE YATON

Defendant  present  not present

PEOPLE: Wally Ray Deputy D.A.

DEFENSE: James Satch  
 Private  P.D.  C.D.

INTERPRETER

Spanish

Court(s) / Charge(s): 273d(a) - PC, 273d(a) - PC, 273d(a) - PC, 273d(a) - PC

Def. I.D. #: 0394833

DOB: 10/13/1973 Dr. License #: \_\_\_\_\_

Def. Status: CJ

Arrest Agency: VJPD

Booking #: 05-14570 D.A. #: V053478

Citation #: \_\_\_\_\_

Violation Date: 04/20/2005

THIS CASE IS ASSIGNED TO JUDGE \_\_\_\_\_ DEPT \_\_\_\_\_ FOR ALL PURPOSES

ARR / FUR. ARR  COUNSEL/PLEA  POSS DISM  
 ADMIT/DENY  REV PROC  PROG RPT  
 PT  RC  RCSP  RCTS  TRC  
 Release

BENCH WARRANT / BAIL ORDERS

B / W  Ordered - Bail \$ \_\_\_\_\_  NO CITE RELEASE  
 Cash Only  No Bail  Stayed  To Issue  Remain out  
 OR / SOR Revoked  DEJ Revoked  Probation Revoked  
 Vacated  Recalled from  S.O.

Bail  Forfeited -  Bond # \_\_\_\_\_  
 Cash  In lieu of fine  
 Notice of bail forfeiture stayed to \_\_\_\_\_

Reinstated  Exonerated  after 15 days if no Comp. filed.  
 Reassumption of liability filed.

Time  Waived  Pro Rata \_\_\_\_\_  Not Waived  
for  Trial  J&S

Jury Trial  Demanded -- Est. time for trial \_\_\_\_\_ days

Waived  Confirmed  Vacated

Set or TRIC (or see below) \_\_\_\_\_ at \_\_\_\_\_ Dept. \_\_\_\_\_

Last date for trial \_\_\_\_\_ NG Plea date \_\_\_\_\_

SEE PAGE 3 RE: \_\_\_\_\_

See Certification

On Motion of  Court  DA  Defense  Probation,

CONT. TO \_\_\_\_\_ AT \_\_\_\_\_

DEPT \_\_\_\_\_, FOR: (See below)

Further Arraignment  Psych. Report(s)  
 S.O.R / CTS Report  M. H. Placement Report  
 Counsel / Plea  Supplemental Report  
 Stay on Bench Warrant  Judgment and Sentence  
 Setting: \_\_\_\_\_  Sentencing on PV  
 Motions / Ruling on Motions \_\_\_\_\_  
 Change of Plea \_\_\_\_\_  Placement Report  
 Possible Dismissal \_\_\_\_\_  Progress Report  DEJ  
 Pretrial Conference  TRC  Admit / Deny Prob. Viol.  
 RC  RCSP  RCTS  TMC  Revocation Proceedings  
 Court / JURY Trial -  Calling  \$1551 PC Proceedings  
 Preliminary Hearing -  Confirmed  
 Long Cause M. C.  VACATE \_\_\_\_\_

date \_\_\_\_\_ Further Proc. re: \_\_\_\_\_

time \_\_\_\_\_

dept \_\_\_\_\_

Formal Revocation Hearing. re: \_\_\_\_\_

Other \_\_\_\_\_

Def's appear. waived if \_\_\_\_\_

OTHER COURT DATE: \_\_\_\_\_ AT \_\_\_\_\_

DEPT \_\_\_\_\_, FOR \_\_\_\_\_

Advised pursuant to §987.8 PC.  Financial statement filed.

Def.  eligible  ineligible, for court-appointed counsel.

\$ \_\_\_\_\_ P.D. registration fee  ordered  waived.

\_\_\_\_\_ declares conflict; relieved as counsel.

Court appoints \_\_\_\_\_ to represent deft.

Deft waives counsel.  §977(b) PC waiver filed.

Waives arraignment  Waives advice of rights

Arraigned  Advised of rights

Deft's true name  above stated

Handed  atty  deft  Complaint  Information

Discov.  Police rept  Transcript  INTP  PENDING

Court grants DA's Motion to Amend to  Add  Reduce

Cnt(s) \_\_\_\_\_ Section(s) \_\_\_\_\_

Deft pleads:  Deft withdraws previous plea(s) & pleads

Not Guilty  Not Guilty by Reason of insanity

Guilty  Nolo Contendere

to  all count(s)  count(s) \_\_\_\_\_

section(s) \_\_\_\_\_

Criminal proceedings  suspended  reinstated

Deft ordered to complete D.A. Diversion.

Deft placed on Informal Diversion for 6 months re dismissal.

Pursuant to  Peo vs West  §17 PC  §1192.5 PC

Reserve right to file demurrer.

Admit  Deny \_\_\_\_\_ Prior(s)

Admit  Deny \_\_\_\_\_ Enhancement(s)

Deft voir dire by  Crt  Counsel.  Submits waiver of rights

SEE DEFERRED ENTRY OF JUDGMENT ORDER.

Based on Nolo plea Court finds defendant guilty.

Court accepts plea and finds  plea is free & voluntary

intelligent waiver of rights is given

factual basis established based on  stipulation

police rept  prelm transcript  admission

Case  Count(s) \_\_\_\_\_ DISMISSED.

on motion of  DA  Court  w/ Harvey waiver

Referral waived.  w/ Restitution

Time  Waived  10 / 60  Not Waived  Pro Rata \_\_\_\_\_

for  Trial  J&S  Last day for PX

SEE PROBATION ORDER.

Referred to Probation for report re:  pre-sentence  supp rpt

SOR  CTS  placement

Deft to report to Prob.  today  by \_\_\_\_\_

Probation Officer to interview defendant.

Counsel request setting  \$995  \$1538.5  Discovery

\_\_\_\_\_ motion.

Defense file motion by \_\_\_\_\_

DA respond by \_\_\_\_\_; Def. answer by \_\_\_\_\_

MINUTE ORDER  WAIVER TO PROB. ON

Form #405 Rev 8-06



11. The facts upon which this change of plea are based are:

- those contained in the preliminary transcript.
- those contained in the police report (# \_\_\_\_\_).
- stipulated.
- wasst Afford plea re counts 2 + 3

11. JA

12. ADDITIONAL MATTERS: (e.g., Harvey waiver, 11590 H&S, restitution, 290 PC registration, 1203.4 PC fine)

12. N/A

13. I declare that my attorney has read and explained this document to me, and I hereby freely and voluntarily, having full knowledge and understanding of the rights that I am giving up and the possible consequences which may result from my plea, do hereby request the Court to accept my new and different plea(s).

13. JA

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 1/30/66

[Signature]  
Defendant

**ATTORNEY'S STATEMENT**

I, James Fitch, do hereby declare that:

I am the attorney for the defendant in this action;  
 I have read and explained the foregoing document to my client and I have adequately researched and advised the defendant as to the immigration consequences of this plea;  
 after I read and explained said document, (s)he signed his/her name thereto in my presence;  
 based upon my conversation with the defendant, I am satisfied that his/her plea of guilty is freely and voluntarily made;  
 (s)he understands the consequences of his/her plea of guilty;  
 his/her decision to plead guilty was made only after a full discussion with me of the facts and the law of this case;  
 I join in the waiver of jury trial.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 1-30-66

[Signature]  
Attorney for defendant

**INTERPRETER'S STATEMENT (If applicable)**

I, \_\_\_\_\_, truly translated this waiver of rights form to the defendant, through his/her attorney, in the \_\_\_\_\_ language. I then asked the defendant, through his/her attorney, if the defendant understood what the form said, and if (s)he did understand, to sign the form if, and only if, (s)he still intended to plead guilty or no contest to the charge(s).

Dated: \_\_\_\_\_

\_\_\_\_\_  
Interpreter



**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO**

Linda G. Ashcraft  
Court Executive Officer  
Clerk of the Court

October 11, 2006

FIRST DISTRICT COURT OF APPEAL  
350 MC ALLISTER STREET  
SAN FRANCISCO, CA 94102

RE: THE PEOPLE OF THE STATE OF CALIFORNIA VS.  
**JERICE YATON HUNTER**  
**SOLANO CASE NO VCR180941**

Dear Sir/Madam:

Enclosed please find the clerk's and reporter's transcripts on Appeal relative to the above matter. Copies have been forwarded to the Attorney General's office and the First District Appellate Project.

If we can be of further assistance, please do not hesitate to call upon us.

Thank you,  
Very truly yours,

**D. SIMAS**

---

DEANNA SIMAS  
Deputy Clerk-Appeals Division

enc  
cc/ag;fdap

6. Even though I will be convicted in this case as a result of my plea, I have the right to appeal the judgment and rulings of the court.  
I give up my right of appeal.

6. JJA

7. The maximum punishment which the court may impose based upon this plea is

10 yrs ESP

7. JJA

8. I am of sound mind and am not now under the influence of alcohol, narcotics, drugs, or any other substance that would impair my judgment, and I understand the nature of these proceedings.

8. JJA

9. I further understand:

- a) A conviction for this offense may increase the punishment I receive for any future convictions.
- b) If I am sentenced to state prison, I would be subject to parole supervision for a period of three years\*, and if I violated that parole, I could be returned to state prison for up to four years.  
\*Penal Code Section 3000(b) (Life Sentence Exception)
- c) If I am not a citizen, a conviction of this offense to which I am now entering a plea may result in my deportation from this country, exclusion from admission to the United States, and/or a denial of naturalization pursuant to the laws of the United States. I have discussed this with my attorney and I know whether or not conviction for this offense requires mandatory deportation and exclusion.
- d) No threats have been made against me or any member of my family or close friends in order to induce me to make this plea.
- e) If I am on parole or probation for another offense, by entering this plea I could be found in violation of that parole or probation.
- f) Whether or not I will get probation is to be determined solely by the Court. I understand the sentence I receive is solely within the discretion of the Court.
- g) A plea of no contest (nolo contendere) will have the same legal effect as a plea of guilty. If I plead no contest the Court will find me guilty based on my no contest plea.
- h) In addition to other penalties that may be ordered by the Court, I will be subjected to fines that may vary in amount from \$10.00 to \$20,000.00.
- i) If I am pleading guilty or no contest to a violation of Vehicle Code Section 23152 or 23153, I am hereby advised pursuant to 23593 VC that being under the influence of alcohol or drugs, or both, impairs my ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.

9. JJA

10. Other than the promises listed below, no promises have been made to me or my family to induce me to enter this plea. I have been promised:

- 1. Dismissed or commit
- 2. court will seriously consider probation
- 3. \_\_\_\_\_

**I UNDERSTAND THE ABOVE PROMISES ARE NOT BINDING IF I FAIL TO APPEAR AT ANY SUBSEQUENT HEARING, COMMIT ANY CRIME PRIOR TO MY JUDGMENT AND SENTENCING, VIOLATE ANY TERMS OF MY RELEASE, OR IF PLACED ON PROBATION, VIOLATE ANY PROBATION TERM.**

10. JJA

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Richman, J.

We concur:

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Kline, P. J.

---

Haerle, J.

A115075, *People v. Hunter*

The People neglect to mention, however, that sentencing also occurred after the California Supreme Court issued its decision in *People v. Black* (2005) 35 Cal.4th 1238 (*Black I*), which held in part that “a jury trial is not required on the aggravating factors that justify imposition of consecutive sentences.” (*Id.* at p. 1262.) As *Black I* was the state of the law at the time defendant was sentenced, the trial court was bound to follow it. (*Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 455.) Thus, a *Blakely* objection at the time of her sentencing would have been futile. (See *People v. Sandoval* (2007) 41 Cal.4th 825, 837, fn. 4 [finding no forfeiture for failure to object because “[h]ad defendant requested a jury trial on aggravating circumstances, that request clearly would have been futile, because the trial court would have been required to follow our decision in *Black I* and deny the request”].)

We thus turn to the merits of defendant’s claim.

**B. Defendant Was Not Entitled to Jury Findings on the Facts Supporting the Imposition of Consecutive Sentences**

*Black I, supra*, 35 Cal.4th 1238 presented a challenge to California’s determinate sentencing law (DSL). (*Id.* at p. 1244.) Specifically, the California Supreme Court considered “whether a defendant is constitutionally entitled to a jury trial on the aggravating factors that justify an upper term sentence or a consecutive sentence.” (*Ibid.*) The court answered this question in the negative: “[T]he judicial factfinding that occurs when a judge exercises discretion to impose an upper term sentence or consecutive terms under California law does not implicate a defendant’s Sixth Amendment right to a jury trial.” (*Ibid.*)

Recently, in *Cunningham, supra*, 549 U.S. \_\_\_ [127 S.Ct. 856], the United States Supreme Court, applying the principles established in *Blakely, supra*, 542 U.S. 296, and *Apprendi, supra*, 530 U.S. 466, held that the DSL violates a defendant’s right to a jury trial. “[U]nder the Sixth Amendment, any fact that exposes a defendant to a greater potential sentence must be found by a jury, not a judge, and established beyond a reasonable doubt, not merely by a preponderance of the evidence.” (*Cunningham*, at pp. 863-864.)

The officers also spoke with the three year old, who showed them a fresh, two-inch long wound on her leg. Although she was unable to articulate what caused the injury, she nodded her head "yes" when her aunt asked if defendant had whipped her.

The officers also learned that four days earlier, the seven year old got in trouble and was taken upstairs where defendant attempted to whip her with an extension cord. Because defendant was having difficulty restraining the child while simultaneously whipping her, defendant called for help from Shockley, who then held the child down while defendant whipped her. The seven year old told police that she was naked at the time and was held face up while being whipped on the front of her body. She reported that defendant had been whipping her "for a lot of years," a fact confirmed by her nine-year-old sister, who said that defendant and Shockley whipped her younger sister five to six times a day on the average of two to three times a week. All of the children confirmed that this type of abuse had been occurring for several years.

Upon learning of the abuse, the children's two aunts and grandmother confronted defendant, only to be told, "[T]hose are my mother fucking kids and I'll do whatever I want."

Shockley admitted to the police that he helped defendant whip the seven year old on October 15. He stated that defendant struck the child so many times—at least eight or nine times—that he felt it was excessive and told her to stop. The child later asked him, "[W]hy didn't you save me?"

Defendant and Shockley were charged with one count of torturing the seven-year-old child (count 1, Pen. Code, § 206)<sup>2</sup> and four counts of causing corporal injuries to all four children (counts 2 through 5, § 273d, subd. (a)). As to Shockley only, count 6 alleged that he failed to register as a convicted sex offender in violation of section 290, subdivision (g)(3). The complaint also alleged that Shockley had multiple prior convictions within the meaning of section 667.5, subdivision (b).

---

<sup>2</sup> All further statutory references are to the Penal Code.

Filed 1/24/08

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION TWO

FILED  
COURT OF APPEAL FIRST APPELLATE DISTRICT

JAN 24 2008

DIANA HERBERT, CLERK

BY \_\_\_\_\_ DEPUTY CLERK

THE PEOPLE,

Plaintiff and Respondent,

v.

JERICE Y. HUNTER,

Defendant and Appellant.

A115075

(Solano County  
Super. Ct. No. VCR180941)

By this appeal, defendant Jerice Hunter asks us to determine that she had a constitutional right to a jury finding on the factors supporting the imposition of consecutive sentences on four separate counts of causing corporal injuries to her children. Her argument derives from the United States Supreme Court's opinions in *Apprendi v. New Jersey* (2000) 530 U.S. 466 (*Apprendi*), *Blakely v. Washington* (2004) 542 U.S. 296 (*Blakely*), and, most recently, *Cunningham v. California* (2007) 549 U.S. \_\_\_ [127 S.Ct. 856] (*Cunningham*), which generally recognize a defendant's right to a jury finding on facts relied upon by the judge, other than the fact of a prior conviction, to impose a sentence beyond the statutory maximum. According to defendant, we should construe these cases to apply equally to the imposition of consecutive sentences.

Unfortunately for defendant, our Supreme Court recently—and yet again—rejected this precise argument in *People v. Black* (2007) 41 Cal.4th 799 (*Black II*). There, in an opinion filed just days after the parties completed briefing in this case, the Supreme Court reiterated that a defendant does not have a Sixth Amendment right to a

COURT OF APPEAL, FIRST APPELLATE DISTRICT  
350 MCALLISTER STREET  
SAN FRANCISCO, CA 94102  
DIVISION 2

Office of the County Clerk  
Solano County Superior Court - Main  
600 Union Avenue, Caller Box 5000  
Fairfield, CA 94533

**FILED**  
Clerk of the Superior Court

APR 17 2008

By LINDA G. ASHLEY  
DEPUTY CLERK

THE PEOPLE,  
Plaintiff and Respondent,  
v.  
JERICE YATON HUNTER,  
Defendant and Appellant.

A115075  
Solano County No. VCR180941

\* \* REMITTITUR \* \*

I, Diana Herbert, Clerk of the Court of Appeal of the State of California, for the First Appellate District, do hereby certify that the attached is a true and correct copy of the original opinion or decision entered in the above-entitled cause on January 24, 2008 and that this opinion has now become final.

Appellant  Respondent to recover costs  
 Each party to bear own costs  
 Costs are not awarded in this proceeding  
 See decision for costs determination

Witness my hand and the Seal of the Court affixed at my office this MAR 25 2008

Very truly yours,  
Diana Herbert  
Clerk of the Court

Imelda Santos

IMELDA SANTOS  
Deputy Clerk

P.O. Report:   
Marsden Transcript:   
Boxed Transcripts:   
Exhibits:   
None of the above:



9. FINANCIAL OBLIGATIONS (including any applicable penalty assessments):

- a. **Restitution Fine(s):**
- Case A: \$4000.0 per PC 1202.4(b) forthwith per PC 2085.5; \$4000.0 per PC 1202.45 suspended unless parole is revoked.  
 Case B: \$ per PC 1202.4(b) forthwith per PC 2085.5; \$ per PC 1202.45 suspended unless parole is revoked.  
 Case C: \$ per PC 1202.4(b) forthwith per PC 2085.5; \$ per PC 1202.45 suspended unless parole is revoked.  
 Case D: \$ per PC 1202.4(b) forthwith per PC 2085.5; \$ per PC 1202.45 suspended unless parole is revoked.

- b. **Restitution per PC 1202.4(f):**
- Case A: \$  Amount to be determined to  victim(s)\*  Restitution Fund  
 Case B: \$  Amount to be determined to  victim(s)\*  Restitution Fund  
 Case C: \$  Amount to be determined to  victim(s)\*  Restitution Fund  
 Case D: \$  Amount to be determined to  victim(s)\*  Restitution Fund

(\*List victim name(s) if known and amount breakdown in item 11, below.)

- c. **Fine(s):**
- Case A: \$ per PC 1202.5. \$ per VC 23550 or days  county jail  prison in lieu of fine  CC  CS  
 Case B: \$ per PC 1202.5. \$ per VC 23550 or days  county jail  prison in lieu of fine  CC  CS  
 Case C: \$ per PC 1202.5. \$ per VC 23550 or days  county jail  prison in lieu of fine  CC  CS  
 Case D: \$ per PC 1202.5. \$ per VC 23550 or days  county jail  prison in lieu of fine  CC  CS

- d. **Lab Fee and Drug Program Fee:**
- Case A: Lab Fee: \$ per HS 11372.5(a) for counts  Drug Program Fee of \$150 per HS 11372.7(a).  
 Case B: Lab Fee: \$ per HS 11372.5(a) for counts  Drug Program Fee of \$150 per HS 11372.7(a).  
 Case C: Lab Fee: \$ per HS 11372.5(a) for counts  Drug Program Fee of \$150 per HS 11372.7(a).  
 Case D: Lab Fee: \$ per HS 11372.5(a) for counts  Drug Program Fee of \$150 per HS 11372.7(a).

10. TESTING
- a.  AIDS pursuant to PC 1202.1      b.  DNA pursuant to PC 296      c.  other (specify):

11. Other orders (specify):  
**COURT RESERVES JURISDICTION RE: AMOUNT OF RESTITUTION. RESTITUTION IS TO BE PAID TO THE VICTIM COMPENSATION BOARD IN THE AMOUNT TO BE DETERMINED**

12. EXECUTION OF SENTENCE IMPOSED

- a.  at initial sentencing hearing.  
 b.  at resentencing per decision on appeal.  
 c.  after revocation of probation.  
 d.  at resentencing per recall of commitment. (PC 1170(d).)  
 e.  other (specify):

13. CREDIT FOR TIME SERVED

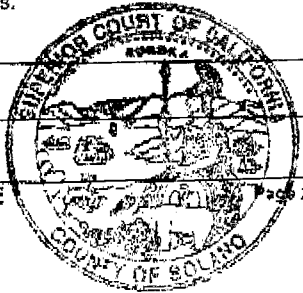
CASE	TOTAL CREDITS	ACTUAL	LOCAL CONDUCT
A	243	163	<input checked="" type="checkbox"/> 4019 <input type="checkbox"/> 2933.1
B			<input type="checkbox"/> 4019 <input type="checkbox"/> 2933.1
C			<input type="checkbox"/> 4019 <input type="checkbox"/> 2933.1
D			<input type="checkbox"/> 4019 <input type="checkbox"/> 2933.1
Date Sentence Pronounced:		Time Served in State Institution:	
08-22-06		DMH      CDC      CRC [ ]      [ ]      [ ]	

14. The defendant is remanded to the custody of the sheriff  forthwith  after 48 hours excluding Saturdays, Sundays, and holidays.  
 To be delivered to  the reception center designated by the director of the California Department of Corrections.  
 other (specify):

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE: **JAMI DEAN**      DATE: **08-22-06**



**ABSTRACT OF JUDGMENT - PRISON COMMITMENT - DETERMINATE**  
**[NOT VALID WITHOUT COMPLETED PAGE TWO OF CR-290 ATTACHED]**

CR-290

SUPERIOR COURT OF CALIFORNIA, COUNTY OF: <b>SOLANO</b>			<b>FILED</b> Clerk of the Superior Court  AUG 22 2006  LINDA G. ABRICRAFT DEPUTY CLERK
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: <b>JERICE YATON HUNTER</b>	DOB: <b>10-11-73</b>	<b>VCR180941</b> -A	
AKA:		-B	
CII#: <b>A10956897</b>	<input type="checkbox"/> NOT PRESENT	-C	
BOOKING #:		-D	By _____ DEPUTY CLERK
COMMITMENT TO STATE PRISON ABSTRACT OF JUDGMENT	<input type="checkbox"/> AMENDED ABSTRACT		
DATE OF HEARING: <b>08-22-06</b>	DEPT. NO.: <b>17</b>	JUDGE: <b>PETER B. FOOR</b>	
CLERK: <b>JAMI DEAN</b>	REPORTER: <b>JILL HODGES</b>	PROBATION NO. OR PROBATION OFFICER: <b>NOT PRESENT</b>	
COUNSEL FOR PEOPLE: <b>TERRY RAY</b>	COUNSEL FOR DEFENDANT: <b>JIM FITCH</b>	<input checked="" type="checkbox"/> APPTD.	

1. Defendant was convicted of the commission of the following felonies:  
 Additional counts are listed on attachment  
 \_\_\_\_\_ (number of pages attached)

CNT.	CODE	SECTION NO.	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO./DATE/YEAR)	CONVICTED BY			TERM (L./M./Y)	CONCURRENT	CONSECUTIVE 1/3 VOLUNT	CONSECUTIVE 1/3 NON-VOLUNT	CONSECUTIVE FULL TERM	INCOMPLETE SENTENCE (Perk to 6 mos)	604 STAY	PRINCIPAL OR CONSECUTIVE TIME IMPOSED	
						JURY	COID	PLEA								YRS.	MOS.
2A	PC	273d(a)	CORPORAL INJURY TO CHILD	2005	01-30-06			X	M							4	0
3A	PC	273d(a)	CORPORAL INJURY TO CHILD	2005	01-30-06			X	M			X				1	4
4A	PC	273d(a)	CORPORAL INJURY TO CHILD	2005	01-30-06			X	M			X				1	4
5A	PC	273d(a)	CORPORAL INJURY TO CHILD	2005	01-30-06			X	M			X				1	4

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed for each or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

CNT.	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	TOTAL

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed for each or "S" for stayed. DO NOT LIST ANY STRICKEN ENHANCEMENT(S).

ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	TOTAL

4.  Defendant was sentenced pursuant to PC 667 (b)-(i) or PC 1170.12 (two-strikes).

5. INCOMPLETED SENTENCE(S) CONSECUTIVE


COUNTY	CASE NUMBER

6. TOTAL TIME ON ATTACHED PAGES: \_\_\_\_\_

7.  Additional indeterminate term (see CR-292).

8. TOTAL TIME EXCLUDING COUNTY JAIL TERM: **8** **0**

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>James Fitch, 99662</b> <b>Solano County Conflict Defender</b> <b>321 Tuloume Street</b> <b>Vallejo, CA 94590</b> TELEPHONE NO: <b>707-553-5671</b> FAX NO: <b>707-553-5073</b> ATTORNEY FOR (Name): <b>Jerice Hunter</b>		FOR COURT USE ONLY <b>FILED</b> SOLANO SUPERIOR COURT 06 AUG 23 AM 9: 26 LINDA G. GRAFT DEPUTY CLERK
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____		BY 
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: <b>Jerice Hunter</b> Date of birth: <b>10-13-73</b> California Dept. of Corrections No. (if applicable): _____		
NOTICE OF APPEAL-FELONY (DEFENDANT) (Pen. Code, §§ 1237, 1538.5(m); Cal. Rules of Court, rule 30(b))		CASE NUMBER(S): <b>VCR180941</b>

**NOTICE**

- If your appeal challenges the validity of the plea you must complete the *Request for Certificate of Probable Cause* on the other side of this form. (Pen. Code, § 1237.5.)
- You must file this form in the superior court within 60 days after entry of judgment.

1. Defendant (name): **Jerice Hunter**  
 appeals from the order or judgment entered on (specify date of order, judgment, or sentence): **8-22-2006**

2. This appeal follows:

- a.  A jury or court trial. (Pen. Code, § 1237(a).)
- b.  A contested violation of probation. (Pen. Code, § 1237(b).)
- c.  A guilty (or no-contest) plea or an admitted probation violation (check all boxes that apply):
  - (1)  This appeal is based on the sentence or other matters occurring after the plea. (Cal. Rules of Court, rule 30(b)(4)(B)) (d.)
  - (2)  This appeal is based on the denial of a motion to suppress evidence under Penal Code section 1538.5.
  - (3)  This appeal challenges the validity of the plea or admission. (You must complete the *Request for Certificate of Probable Cause* on the other side of this form.)
- d.  Other (specify): \_\_\_\_\_

3.  I request that the court appoint an attorney on appeal. Defendant  was  was not represented by an appointed attorney in the superior court.

4. Defendant's address:  same as in attorney box above.  
 as follows: **Solano County Jail**  
**500 Union Avenue**  
**Fairfield, CA 94533**

Date:

**James Fitch**

(TYPE OR PRINT NAME)



(SIGNATURE OF DEFENDANT OR ATTORNEY)

NAME: Jertce Hunter

CASE NO(S): VCR 180941

MOTION(S):  §995 PC  §1538.5 PC  DISCOVERY  
 BAIL BOND  CONTINUANCE

**PRISON PROCEEDINGS**

Slip to submit on  Transcript  Pleadings  Testimony  
 People call: \_\_\_\_\_  
 Defense calls: \_\_\_\_\_

Probation report considered by the Court.  waived by deft.  
 Arraignment waived; no legal cause for not sentencing.  
 Parties waive right to have report 5 days prior to hearing.  
 Probation is denied.  
 Refer to CDC for 90 day §1203.03 PC diagnostic evaluation.

Counsel argue motion(s).  
Crt  Grants  Denies \_\_\_\_\_ Motion  
 as to cnt(s)

Sentenced to state prison -TOTAL B yrs D mos  
Purs. to  §1170(d) PC  §1731.5(c) W&I

Case  Count(s) \_\_\_\_\_ DISMISSED.

Count 2 273 d(a) PC  
m.T. 4 years

Grants  Denies \_\_\_\_\_ Motion  
as modified  by DA's response  on the record.

Count 3 273 d(a) PC  
1/3 m.T. = 16 mos consec.

DA ordered to comply with Discovery by \_\_\_\_\_

Count 4 273 d(a) PC  
1/3 m.T. = 16 mos consec.

Enter Summ. Judg. re Bond # \_\_\_\_\_

Vacate Summary Judgment date of \_\_\_\_\_

MENTAL HEALTH  §1026 P.C. PROCEEDINGS

Sentence doubled per §667(b) - (1) & §1170.12 PC.  
 concurrent  consecutive with \_\_\_\_\_

Proceedings  are  have previously, been suspended  
purs. to  §1368 PC  §3050/3051 W&I

stay granted to \_\_\_\_\_  
**CTS:** 163 days plus 80 §4019 PC time = 243  
\_\_\_\_\_ days plus \_\_\_\_\_ §4019 PC time = \_\_\_\_\_

Dr.(s) \_\_\_\_\_ & \_\_\_\_\_  
are appointed to examine deft and prepare report, pursuant to  
 §1368 PC  §1026 PC  §1017 EC  
 §3050 WI  §3051 W&I

Defendant advised of  appeal rights  parole status.  
 \$4,000. fine imposed pursuant to §1202.4(b) PC.  
 on each case

Case certified for further proceedings.  
Counsel  have  have not, received the doctor / M.H. report.

\$4,000. §1202.45 PC fine susp'd unless parole revok'd.  
 on each case

Counsel stipulate to submit on the written reports of doctors.  
 Trial setting is requested.  Jury trial waived.

Proceedings suspended pursuant to §3051 W&I.  
 Filing of formal petition is  waived  required.  
 REFER TO MENTAL HEALTH PROC. FOR APPT OF DR(S)

Pco's witness(es) \_\_\_\_\_  
 Def. witness(es) \_\_\_\_\_

Refer to Probation for CTS report.  
 Defendant's next appearance is waived.

Based on  reports  testimony, the Court finds deft / resp.  
 is  is not, competent within the meaning of §1367 PC.  
 is  is not, a drug addict or in danger of being addicted

Deft's commitment extended 1 yr pursuant to §2972 PC.  
 Deft ordered committed to \_\_\_\_\_  
pursuant to \_\_\_\_\_  for max. term \_\_\_\_\_  
or until restored to competence.

**1551 P.C. EXTRADITION PROCEEDINGS**

Court orders criminal proceedings reinstated.

Advised of Extradition pending in State of \_\_\_\_\_  
Def.  admits  denies, (s)he is person named in Complaint.  
 Waiver signed in open court.  I.D. hearing requested.  
 Copy of waiver to jail.  Governor's Warrant served.  
 Deft. remanded. REFER TO PAGE 2.

Matter referred to  Probation  Mental Health  
 No. Bay Regional Center  \_\_\_\_\_  
for  pre-sentence  placement  credits, report.

**MISCELLANEOUS / OTHER ORDERS**

Restitution  
Court reserves Jurisdiction Re: Amount of ~~Restitution~~  
Restitution is to be paid to the victim  
Compensation Board in the amount to be  
determined.

NAME: HUNTER, JERICE YATON

CASE NO(S): VCR180941 VF

OTHER ORDERS

JAIL COMMITMENT / CUSTODY STATUS

Pay Fine \$ \_\_\_\_\_ incl. plus penalty assessment

Pay \$ \_\_\_\_\_ Restitution Fine per 1202.4 PC plus \$ \_\_\_\_\_ (10%) Admin. fee

\$ \_\_\_\_\_ Security fee per 1465.8(a)(1) PC.

SHOW PROOF OF: Compliance will vacate appearance date

Fine / fees, paid in full by \_\_\_\_\_

\_\_\_\_\_ hrs Comm Serv/Volunteer work by \_\_\_\_\_

Restitution paid by \_\_\_\_\_

FTA Clearance in \_\_\_\_\_ by \_\_\_\_\_

Re-enroll DUI class/SB36/ \_\_\_\_\_

\_\_\_\_\_ w/in \_\_\_\_\_ days

Complete by \_\_\_\_\_ Thru Prob Court

Restricted license granted: \_\_\_\_\_ to, from, during employment, DUI school / program, jail

PROB. VIOLATION PROC. PROGRESS REPT.

Def admits denies, probation violation, based on:

new violation(s) in Case # \_\_\_\_\_, or

Counsel voir dire defendant submits waiver of rights.

Court accepts admission after knowing, intelligent waiver of rights, finding admission to be free & voluntary with adequate factual basis.

Pro's witness(es): \_\_\_\_\_

Def's witness(es): \_\_\_\_\_

Court finds def. in violation dismisses the violation. No action taken. revokes probation, based on:

Referred for Supplemental Progress

\_\_\_\_\_ report.

Report to Probation today by \_\_\_\_\_

Probation is: continued same terms/conditions full force & effect.

reinstated - SEE PROBATION ORDER FOR MODIFICATION(S).

terminated as successful unsuccessful

Pet. granted per §1203.4 PC reduced to misd. per §17 PC

Pet. granted per 1210.1(d) PC. Case dismissed.

Any unfulfilled terms in \_\_\_\_\_ transferred to Case # \_\_\_\_\_

SERVE \_\_\_\_\_ days / months in jail. Forthwith

Stay to \_\_\_\_\_ at \_\_\_\_\_ am / pm

In lieu of fine In lieu of community service

\_\_\_\_\_ suspended / all susp but \_\_\_\_\_

CTS: \_\_\_\_\_ days + \_\_\_\_\_ 4018 PC time = \_\_\_\_\_ Total

conc consec with \_\_\_\_\_

Alternative sentencing program recommended denied

Work furlough only recommended denied

Work release only recommended denied

E.M.R. only recommended denied

Report to PROFESSIONAL MONITORING SDF

within 3 working days

BOOK & RELEASE by \_\_\_\_\_ (8 am - 4 pm, Monday thru Friday)

Pay jail fees of \$ \_\_\_\_\_ per day of custody.

Jail fees waived.

Serve 1 day for each \$ \_\_\_\_\_ of fine unpaid

or pay the fine \$ \_\_\_\_\_

REMANDED until next appearance - NO CITE RELEASE.

As previously set 1275 PC APPLIES

Ball set at \$ \_\_\_\_\_ No Ball Cash only

Reduced/increased to \$ \_\_\_\_\_ Prev. bond applies

Until picked up by \_\_\_\_\_ authorities.

Allowed phone calls at County expense

limited to \_\_\_\_\_ min. ea. during normal business hrs

Allowed visit(s) contact visit(s) with:

at the Sheriff's discretion

contact visit shall not delay defendant's transport to CDC.

Release to P.O. for program screening placement

Refer for SOR CTS report.

RELEASED / CONTINUED

OR SOR BAIL DEJ PROBATION

In custody other case(s) INTP INTP PENDING

RELEASE PENDING OTHER HOLDS

Release conditions: Obey all laws

Totally abstain from the use of alcohol illicit drugs.

Submit to alcohol drug testing \_\_\_\_\_ X's per wk

Search & seizure.

Do not enter any public place where the primary item sold or dispensed is an intoxicating liquor.

Attend AA or NA mtgs. per wk / mo in \_\_\_\_\_ days

Bring proof to court.

Do not drive without a valid driver's license.

Make & keep appointment with attorney / Probation.

Do not possess any weapons or ammunition.

No contact No uninvited contact with Stay away from

Do not harass, annoy, threaten

CLETS order signed, filed, faxed. Served on defendant.

Other: \_\_\_\_\_

TO THE SHERIFF: I CERTIFY THE FOREGOING TO BE A TRUE COPY OF THE JUDGMENT RENDERED ON THIS DATE BY THE ABOVE-NAMED JUDGE.

LINDA G. ASHCRAFT, CLERK / CEO

BY [Signature]

DEFENDANT, BEING RELEASED ON HIS / HER OWN RECOGNIZANCE AGREES THAT: 1) Defendant promises to appear at all times and places, as ordered by any court in which, or any magistrate before whom, the charge is pending; 2) defendant promises to obey all reasonable conditions imposed by the court or magistrate; 3) defendant promises not to depart this state without leave of the court; 4) defendant agrees to waive extradition if the defendant fails to appear as required and is apprehended outside the State of California, and; 5) defendant acknowledges (s)he has been informed of the consequences and penalties applicable to violation of the conditions of release.

Defendant understands that if charged with a misdemeanor or an infraction and released and willfully fails to appear, (s)he is guilty of a misdemeanor and may be punished by not more than six (6) months in county jail, a one thousand dollar (\$1,000) fine, or both.

Defendant understands that if charged with a felony and released and willfully fails to appear, (s)he is guilty of a felony and may be punished by not more than three (3) years in state prison, or one (1) year in county jail and a fine not to exceed ten thousand dollars (\$10,000) or both.

DEFENDANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_

DOB: \_\_\_\_\_ PHONE NO. \_\_\_\_\_

Interpreter \_\_\_\_\_ Date \_\_\_\_\_

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO  
Criminal Minute Order**

PEOPLE OF THE STATE OF CALIFORNIA vs

CASE NO (S): VCR180941 VF

**HUNTER, JERICE YATON**

DATE: 12-1-05

Defendant  present  not present  
PEOPLE: Michael Mullins  
Deputy D.A.

JUDGE/COMM: Daniels

DEFENSE: Carol Long  
 Private  P.D.  C.D.

REPORTER: K Tietze

INTERPRETER  
 Spanish

CLERK: J McYLDOL

Court(s) / Charges(s): 273d(a) -PC, 273d(a) -PC, 273d(a) -PC, 273d(a) -PC  
DOB: 10/13/1973 Dr. License #: \_\_\_\_\_  
Booking #: 05-14570 D.A. #: V053478 Citation #: \_\_\_\_\_

Det I.D. #: 0394833  
Arrest Agency: VJPD  
Violation Date: 04/20/2005

**THIS CASE IS ASSIGNED TO JUDGE \_\_\_\_\_ DEPT \_\_\_\_\_ FOR ALL PURPOSES**

ARR / FUR. ARR  COUNSEL/PLEA  POSS DISM  
 ADMIT/DENY  REV PROC  PROG RPT  
 PT  RC  RCSP  RCTS  TEC  
 Set Prelim / Motion to Amend

Advised pursuant to §987.8 PC.  Financial statement filed.  
Deft  eligible  ineligible, for court-appointed counsel.  
 \$ \_\_\_\_\_ P.D. registration fee  ordered  waived.  
 \_\_\_\_\_ declares conflict; relieved as counsel.  
 Court appoints \_\_\_\_\_ to represent deft.  
 Deft waives counsel.  §977(b) PC waiver filed.  
 Waives arraignment  Waives advice of rights  
 Arraigned  Advised of rights  
Deft's true name  above stated  (2nd Amended)  
 Handed  atty  deft  Complaint  Information  
 Discov.  Police rept  Transcript  INT P  PENDING  
 Court grants DA's Motion to Amend to  Add  Reduce  
file a 2nd Amended Complaint  
Cnt(s) \_\_\_\_\_ Section(s) \_\_\_\_\_  
 Deft pleads:  Deft withdraws previous plea(s) & pleads  
 Not Guilty  Not Guilty by Reason of Insanity  
 Guilty  Not Contenders  
to  all count(s)  count(s) \_\_\_\_\_  
section(s) \_\_\_\_\_  
 Criminal proceedings  suspended  reinstated  
 Deft ordered to complete D.A. Diversion.  
 Deft placed on Informal Diversion for 6 months re dismissal.  
Pursuant to  Pao vs West  §17 PC  §1192.5 PC  
 Reserve right to file demurrer.

**BENCH WARRANT / BAIL ORDERS**

B / W  Ordered - Bail \$ \_\_\_\_\_  NO CITE RELEASE  
 Cash Only  No Bail  Stayed  To issue  Remain out  
 OR / SOR Revoked  DEJ Revoked  Probation Revoked  
 Vacated  Recalled from  S.O.

Bail  Forfeited -  Bond # \_\_\_\_\_  
 Cash  In lieu of fine  
 Notice of bail forfeiture stayed to \_\_\_\_\_

Reinstated  Exonerated  after 15 days if no Comp. filed.  
 Reassumption of liability filed.

Time  Waived  Pro Rata  Not Waived  
for  Trial  J&S

Jury Trial  Demanded -- Est. time for trial \_\_\_\_\_ days  
 Waived  Confirmed  Vacated

Set or TRLC (or see below) \_\_\_\_\_ at \_\_\_\_\_ Dept. \_\_\_\_\_  
 Last date for trial \_\_\_\_\_ NG Plea date \_\_\_\_\_

SEE PAGE 3 RE:  
\* Court read & acknowledged the Mot. to Amend & finds good cause has been shown re: second Amended Complaint.

On Motion of  Court  DA  Defense  Probation,  
 CONT. TO 1-9-06 AT 10:00 AM  
DEPT U, FOR: (See below)

Further Arraignment  Psych. Report(s)  
 S.O.R / CTS Report  M. H. Placement Report  
 Counsel / Plea  Supplemental Report  
 Stay on Bench Warrant  Judgment and Sentence  
Setting: \_\_\_\_\_  Sentencing on PV  
 Motions / Ruling on Motions  Placement Report  
 Change of Plea  Progress Report  DEJ  
 Possible Dismissal  Admit / Deny Prob. Viol.  
 Pretrial Conference  TRC  Revocation Proceedings  
 RC  RCSP  ACTS  TMC  \$1551 PC Proceedings  
 Court / JURY Trial -  Calling  Preliminary Hearing -  Confirmed  
 Long Cause M. C.  VACATE \_\_\_\_\_  
date \_\_\_\_\_  Further Proc. re: \_\_\_\_\_  
time \_\_\_\_\_  
dept \_\_\_\_\_  
 Formal Revocation Hearing, re: \_\_\_\_\_  
 Other \_\_\_\_\_  
 Deft's appear. waived if \_\_\_\_\_

OTHER COURT DATE: 1-5-06 AT 0:30  
DEPT U, FOR Readiness Conf.

**SEE DEFERRED ENTRY OF JUDGMENT ORDER.**

Based on Nolo plea Court finds defendant guilty.  
 Court accepts plea and finds  plea is free & voluntary  
 Intelligent waiver of rights is given  
 factual basis established based on  stipulation  
 police rept  prelim transcript  admission  
 Case  Count(s) \_\_\_\_\_ DISMISSED.  
on motion of  DA  Court  w/ Harvey waiver  
 Referral waived.  w/ Restitution  
Time  Waived  10 / 60  Not Waived  Pro Rata  
for  Trial  J&S  Last day for PX

**SEE PROBATION ORDER.**

Referred to Probation for report re:  pre-sentence  supp rpt  
 SOR  CTS  placement   
 Deft to report to Prob.  today  by \_\_\_\_\_  
 Probation Officer to interview defendant.  
 Counsel request setting  \$995  \$1538.5  Discovery  
 motion.  
 Defense file motion by \_\_\_\_\_  
DA respond by \_\_\_\_\_ Def. answer by \_\_\_\_\_

MINUTE ORDER  WAIVER TO PROB. ON \_\_\_\_\_  
Form #405 Rev 8-05

NAME: HUNTER, JERICE YATON

CASE NO(S): VCR180941 VF

OTHER ORDERS

JAIL COMMITMENT / CUSTODY STATUS

Pay Fine \$ \_\_\_\_\_ incl. plus penalty assessment

SERVE \_\_\_\_\_ days / months in jail.  Forthwith

Pay \$ \_\_\_\_\_ Restitution Fine per 1202.4 PC plus \$ \_\_\_\_\_ (10%) Admin. fee

Stay to \_\_\_\_\_ at \_\_\_\_\_ am / pm

In lieu of fine  In lieu of community service

\$ \_\_\_\_\_ Security fee per 1466.8(a)(1) PC.

\_\_\_\_\_ suspended / all susp but \_\_\_\_\_

SHOW PROOF OF: Compliance will vacate appearance date

CTS: \_\_\_\_\_ days + \_\_\_\_\_ 4019 PC time = \_\_\_\_\_ Total

Fine / fees, paid in full by \_\_\_\_\_

conc  consec with \_\_\_\_\_

\_\_\_\_\_ hrs Comm Serv/Volunteer work by \_\_\_\_\_

Alternative sentencing program  recommended  denied

Restitution paid by \_\_\_\_\_

Work furlough  only  recommended  denied

FTA Clearance in \_\_\_\_\_ by \_\_\_\_\_

Work release  only  recommended  denied

Re-enroll DUI class/BB36/ \_\_\_\_\_

E.M.R.  only  recommended  denied

\_\_\_\_\_ w/in \_\_\_\_\_ days

Report to  PROFESSIONAL MONITORING  SDF within 3 working days

Complete by \_\_\_\_\_ Thru  Prob  Court

BOOK & RELEASE by \_\_\_\_\_ (8 am - 4 pm, Monday thru Friday)

Restricted license granted:

Pay jail fees of \$ \_\_\_\_\_ per day of custody.

to, from, during employment, DUI school / program, jail

Jail fees waived.

PROB. VIOLATION PROC. PROGRESS REPT.

Serve 1 day for each \$ \_\_\_\_\_ of fine unpaid

or pay the fine \$ \_\_\_\_\_

Def't  admits  denies, probation violation, based on:

REMANDED until next appearance - NO CITE RELEASE.

new violation(s) in Case # \_\_\_\_\_, or \_\_\_\_\_

As previously set  1275 PC APPLIES

Bail set at \$ \_\_\_\_\_  No Bail  Cash only

Counsel:  voir dire defendant  submits waiver of rights.

Reduced/Increased to \$ \_\_\_\_\_  Prev. bond applies

Court accepts admission after knowing, intelligent waiver of rights, finding admission to be free & voluntary with adequate factual basis.

Until picked up by \_\_\_\_\_ authorities.

Peo's witness(es): \_\_\_\_\_

Allowed \_\_\_\_\_ phone calls  at County expense

Def's witness(es): \_\_\_\_\_

limited to \_\_\_\_\_ min. ea.  during normal business hrs

Court  finds def't. in violation  dismisses the violation.  No action taken.  revokes probation, based on: \_\_\_\_\_

Allowed \_\_\_\_\_ visit(s)  contact visit(s) with: \_\_\_\_\_

at the Sheriff's discretion  contact visit shall not delay defendant's transport to CDC.

Referred for  Supplemental  Progress  \_\_\_\_\_ report.

Release to P.O. for program  screening  placement  Refer for  SOR  CTS  \_\_\_\_\_ report.

Report to Probation  today  by \_\_\_\_\_

RELEASED / CONTINUED

Probation is:  continued  same terms/conditions  full force & effect.

OR  SOR  BAIL  DEJ  PROBATION  in custody other case(s)  INTP  INTP PENDING

RELEASE PENDING OTHER HOLDS

- Release conditions:  Obey all laws
- Totally abstain from the use of  alcohol  illicit drugs.
- Submit to  alcohol  drug testing  \_\_\_\_\_ X's per wk
- Search & seizure.
- Do not enter any public place where the primary item sold or dispensed is an intoxicating liquor.
- Attend \_\_\_\_\_ AA or NA mtgs.  per wk / mo  in \_\_\_\_\_ days
- Bring proof to court.
- Do not drive without a valid driver's license.
- Make & keep appointment with attorney / Probation.
- Do not possess any weapons or ammunition.
- No contact  No uninvited contact with  Stay away from \_\_\_\_\_

reinstated - SEE PROBATION ORDER FOR MODIFICATION(S).

terminated as  successful  unsuccessful

Pet. granted per §1202.4 PC  reduced to mid. per §17 PC

Pet. granted per 1210.1(d) PC.  Case dismissed.

Any unfulfilled terms in ( \_\_\_\_\_ ) transferred to Case # \_\_\_\_\_

Do not harass, annoy, threaten \_\_\_\_\_  CLETS order signed, filed, faxed.  Served on defendant.  Other: \_\_\_\_\_

TO THE SHERIFF: I CERTIFY THE FOREGOING TO BE A TRUE COPY OF THE JUDGMENT RENDERED ON THIS DATE BY THE ABOVE-NAMED JUDGE.

LINDA G. ASHCRAFT, CLERK / CEO

BY B. McJannet

DEFENDANT, BEING RELEASED ON HIS / HER OWN RECOGNIZANCE AGREES THAT:

1) Defendant promises to appear at all times and places, as ordered by any court in which, or any magistrate before whom, the charge is pending; 2) defendant promises to obey all reasonable conditions imposed by the court or magistrate; 3) defendant promises not to depart this state without leave of the court; 4) defendant agrees to waive extradition if the defendant fails to appear as required and is apprehended outside the State of California; and; 5) defendant acknowledges (s)he has been informed of the consequences and penalties applicable to violation of the conditions of release.

Defendant understands that if charged with a misdemeanor or an infraction and released and willfully fails to appear, (s)he is guilty of a misdemeanor and may be punished by not more than six (6) months in county jail, a one thousand dollar (\$1,000) fine, or both.

Defendant understands that if charged with a felony and released and willfully fails to appear, (s)he is guilty of a felony and may be punished by not more than three (3) years in state prison, or one (1) year in county jail and a fine not to exceed ten thousand dollars (\$10,000) or both.

DEFENDANT: \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DOB: \_\_\_\_\_ PHONE NO. \_\_\_\_\_

Interpreter \_\_\_\_\_ Date \_\_\_\_\_

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO  
Criminal Minute Order

OFF CAL

1/97

PEOPLE OF THE STATE OF CALIFORNIA vs

CASE NO (S): VCR180941 *VF Yes*

HUNTER, JERICE YATON

DATE: 1-5-06

Defendant  present  not present

JUDGE/COMM: Danels

PEOPLE: Terry Rupp Deputy D.A.

REPORTER: J. Burnett

DEFENSE: Marc Turrell  
 Private  P.C.D.

CLERK: B. McNeil

INTERPRETER  
 Spanish

Court(s) / Charges(s): 206-PC, 273d(a) - PC, 273d(a) - PC, 273d(a) - PC, 273d(a) - PC, 273d(a) - PC P.C.D. #: 0394833

DOB: 10/13/1973 Dr. License #: \_\_\_\_\_ Def. Status: prob Arrest Agency: VJPD

Booking #: 05-14570 D.A. #: V053478 Citation #: \_\_\_\_\_ Violation Date: 04/20/2005

THIS CASE IS ASSIGNED TO JUDGE \_\_\_\_\_ DEPT \_\_\_\_\_ FOR ALL PURPOSES

ARR / FUR. ARR  COUNSEL/PLEA  POSS DISM  
 ADMIT/DENY  REV PROC  PROG RPT  
 PT  RC  RCSP  RCTS  TRC

Advised pursuant to §987.6 PC.  Financial statement filed.  
 Deft eligible  Ineligible, for court-appointed counsel.  
 \$ \_\_\_\_\_ P.D. registration fee  ordered  waived.  
 \_\_\_\_\_ declares conflict; relieved as counsel.  
 Court appoints \_\_\_\_\_ to represent deft.  
 Deft waives counsel.  §977(b) PC waiver filed.  
 Waives arraignment  Waives advice of rights  
 Arraigned  Advised of rights  
 Deft's true name  above stated   
 Handed  atty  deft  Complaint  Information  
 Discov.  Police rept  Transcript  INTP  PENDING  
 Court grants DA's Motion to Amend to  Add  Reduce  
Cnt(s) \_\_\_\_\_ Section(s) \_\_\_\_\_  
 Deft pleads:  Deft withdraws previous plea(s) & pleads  
 Not Guilty  Not Guilty by Reason of Insanity  
 Guilty  Nolo Contendere  
to  all count(s)  count(s) \_\_\_\_\_  
section(s) \_\_\_\_\_  
 Criminal proceedings  suspended  reinstated  
 Deft ordered to complete D.A. Diversion.  
 Deft placed on informal Diversion for 6 months re dismissal.  
Pursuant to  Peo vs West  §17 PC  §1192.5 PC  
 Reserve right to file demurrer.

Admit  Deny \_\_\_\_\_ Prior(s)  
 Admit  Deny \_\_\_\_\_ Enhancement(s)

Deft voir dire by  Cr  Counsel  Submits waiver of rights

SEE DEFERRED ENTRY OF JUDGMENT ORDER.

Based on Nolo plea Court finds defendant guilty.  
 Court accepts plea and finds  plea is free & voluntary  
 intelligent waiver of rights is given  
 factual basis established based on  attipulation  
 police rept  prelm transcript  admission

Case  Count(s) \_\_\_\_\_ DISMISSED.  
on motion of  DA  Court  w/ Harvey waiver  
 Referral waived.  w/ Restitution  
Time  Waived  10 / 60  Not Waived  Pro Rata  
for  Trial  J&S  Last day for PX

SEE PROBATION ORDER.

Referred to Probation for report re:  pre-sentence  supp rpt  
 SOR  CTS  placement   
 Deft to report to Prob.  today  by \_\_\_\_\_  
 Probation Officer to interview defendant.  
 Counsel request setting  §995  §1538.5  Discovery  
 motion.  
 Defense file motion by \_\_\_\_\_  
DA respond by \_\_\_\_\_; Def. answer by \_\_\_\_\_

MINUTE ORDER  WAIVER TO PROB. ON

Form #405 Rev 8-05

BENCH WARRANT / BAIL ORDERS

B / W  Ordered - Bail \$ \_\_\_\_\_  NO CITE RELEASE  
 Cash Only  No Bail  Stayed  To Issue  Remain out  
 OR / SOR Revoked  DEJ Revoked  Probation Revoked  
 Vacated  Recalled from  S.O.

Bail  Forfeited -  Bond # \_\_\_\_\_  
 Cash  In lieu of fine  
 Notice of bail forfeiture stayed to \_\_\_\_\_

Reinstated  Exonerated  after 15 days if no Comp. filed.  
 Reassumption of liability filed.

Time  Waived  Pro Rata \_\_\_\_\_  Not Waived  
for  Trial  J&S

Jury Trial  Demanded -- Est. time for trial \_\_\_\_\_ days  
 Waived  Confirmed  Vacated \_\_\_\_\_  
 Set or TRLC (or see below) \_\_\_\_\_ at \_\_\_\_\_ Dept. \_\_\_\_\_  
 Last date for trial \_\_\_\_\_ NG Plea date \_\_\_\_\_

SEE PAGE 3 RE:  
Def is only allowed  
visitation w/ mother as  
directed by C.P.S.

On Motion of  Court  DA  Defense  Probation,  
 CONT. TO 1-30-06 AT 10:00am  
DEPT 17, FOR: (See below)

Further Arraignment  Psych. Report(s)  
 S.O.R / CTS Report  M. H. Placement Report  
 Counsel / Plea  Supplemental Report  
 Stay on Bench Warrant  Judgment and Sentence  
 Setting: \_\_\_\_\_  Sentencing on PV  
 Motions / Ruling on Motions  Placement Report  
 Change of Plea  Progress Report  DEJ  
 Possible Dismissal  Admit / Deny Prob. Viol.  
 Pretrial Conference  TRC  RC  RCSP  RCTS  TMC  Revocation Proceedings  
 Court / JURY Trial -  Calling  §1551 PC Proceedings  
 Preliminary Hearing -  Confirmed  
 Long Cause M. C.  VACATE  
date \_\_\_\_\_  Further Proc. re: \_\_\_\_\_  
time \_\_\_\_\_  
dept \_\_\_\_\_  
 Formal Revocation Hearing, re: \_\_\_\_\_  
 Other \_\_\_\_\_  
 Deft's appear. waived if \_\_\_\_\_

OTHER COURT DATE: \_\_\_\_\_ AT \_\_\_\_\_  
DEPT \_\_\_\_\_, FOR \_\_\_\_\_



1 AGENCY: VPD

D.A. NO.: V053478

2  
3 Arresting Officer: TRIBBLE, Badge # 587

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DEFENDANT	CII NO	DOB	BOOKING NO	CUSTODY R'TN DATE
6 GEORGE EDWARD SHOCKLEY	A08211 886	4/17/1967 10/13/1973	76115 05-14570	
7 JERICE YATON HUNTER	A10956 897			

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1 Court Case Code/Statute Conviction Date County State Court Type

2 C34584 Penal Code 288(a) 04/29/1993 Solano CA Superior

3 It is further alleged as to count(s) 1,2,3,4,5 pursuant to Penal Code Section 667.5(b) that the  
4 defendant GEORGE EDWARD SHOCKLEY, has suffered the following prior conviction(s):

4 Court Case Code/Statute Conviction Date County State Court Type

5 C34584 Penal Code 288(a) 04/29/1993 Solano CA Superior

6 and that a term was served as described in Penal Code section 667.5 for said offense(s), and that  
7 the defendant did not remain free of prison custody for, and did commit an offense resulting in a  
8 felony conviction during, a period of five years subsequent to the conclusion of said term.

8 It is further alleged as to count(s) 1,2,3,4,5 pursuant to Penal Code Section 667.5(b) that the  
9 defendant GEORGE EDWARD SHOCKLEY, has suffered the following prior conviction(s):

10 Court Case Code/Statute Conviction Date County State Court Type

11 C44318 Penal Code 290(g) 08/26/1997 Solano CA Superior

12 and that a term was served as described in Penal Code section 667.5 for said offense(s), and that  
13 the defendant did not remain free of prison custody for, and did commit an offense resulting in a  
14 felony conviction during, a period of five years subsequent to the conclusion of said term.

14 It is further alleged that the defendant GEORGE EDWARD SHOCKLEY AND JERICE  
15 YATON HUNTER, did commit acts which aggravate the above crime(s) pursuant to Rules 4.408  
16 and 4.421 of the California Rules of Court.

17 **DISCOVERY REQUEST PURSUANT TO PENAL CODE SECTION 1054/1054.7:**

18 Pursuant to Penal Code sections 1054 through 1054.7, the People request that, within fifteen (15)  
19 days, the defendant and/or his/her attorney disclose: (a) The names and addresses of persons,  
20 other than the defendant, he/she intends to call as witnesses at trial, together with any relevant  
21 written or recorded statements of experts made in connection with the case, and including the  
22 results of physical or mental examinations, scientific tests, experiments, or comparisons which  
23 the defendant intends to offer in evidence at the trial. This request is a continuing request, to  
24 cover not only all such material currently in existence, but also all material which comes into  
25 existence to the conclusion of this case.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND  
24 CORRECT AND THAT THIS COMPLAINT CONSISTS OF 6 COUNT(S).

25 Executed at Vallejo, California, on October 26, 2005.

26 \_\_\_\_\_  
TERRY RAY  
DECLARANT AND COMPLAINANT

1 **COUNT 2**

2 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
3 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
4 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
5 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
6 and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
7 wit, J.H. age 14, male.

8 **COUNT 3**

9 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
10 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
11 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
12 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
13 and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
14 wit, J.H., age 9, female.

15 **COUNT 4**

16 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
17 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
18 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
19 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
20 and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
21 wit, J.H., age 7, female.

22 **COUNT 5**

23 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
24 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
25 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
26 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
wit, J.H., age 3, female.

**COUNT 6**

On or about and between April 20, 2005 and October 15, 2005, defendant(s) GEORGE  
EDWARD SHOCKLEY did commit a felony namely: FAILURE TO REGISTER, PRIOR  
CONVICTION, a violation of Section 290(g)(3) of the Penal Code of the State of California,  
County of Solano, in that said defendant being a person described in paragraph (3) of subdivision  
(g) of Section 290, did willfully violate a requirement of Section 290 after having been  
previously convicted of a violation of Section 290.

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through  
(i) as to counts 1,2,3,4,5 that the defendants(s): GEORGE EDWARD SHOCKLEY and JERICE  
YATON HUNTER, has suffered the following prior conviction of a serious or violent felony or  
juvenile adjudication:

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff

vs.

Case No. VCR180818  
VCR180941

GEORGE EDWARD SHOCKLEY (4/17/1967)

SECOND AMENDED  
FELONY COMPLAINT

JERICE YATON HUNTER (10/13/1973)

Defendant(s)

The undersigned is informed and believes that:

**COUNT 1**

On or about and between April 1, 2005 and October 14, 2005, defendant(s) GEORGE EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely: TORTURE, a violation of Section 206 of the Penal Code of the State of California, County of Solano, in that said defendant did unlawfully and with the intent to cause cruel and extreme pain and suffering for the purpose of revenge, extortion, persuasion and for a sadistic purpose, inflict great bodily injury, as defined in Penal Code section 12022.7, upon J. H. age 7, female .

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

POINTS AND AUTHORITIES

I

The court in which an action is pending may order or permit an amendment of an indictment, accusation or information, or the filing of an amended complaint, for any defect or insufficiency, at any stage of the proceedings.... The defendant shall be required to plead to such amendment or amended pleading forthwith, or, at the time fixed for pleading, if he has not yet pleaded and the trial or other proceeding shall continue as if the pleading had been originally filed as amended, unless the substantial rights of the defendant would be prejudiced thereby, in which event a reasonable postponement, not longer than the ends of justice require, may be granted. Penal Code Section 1009.

II

In the instant matter, the People respectfully request that the complaint be amended to INCLUDE AS COUNT ONE-PC206. ALL OTHER COUNTS REMAIN AS CHARGED.

Dated: October 27, 2005

Respectfully submitted,

DAVID W. PAULSON  
District Attorney

BY: 

TERRY RAY  
Deputy District Attorney

**ENDORSED FILED**  
Clerk of the Superior Court

DEC 01 2005

LINDA G. ASHCRAFT

By *R. King*  
DEPUTY CLERK

1 DAVID W. PAULSON  
2 District Attorney of Solano County  
3 By: TERRY RAY, #195076  
4 321 Tuolumne Street  
5 Vallejo, California 94590  
6 Telephone (707)553-5321

7 Attorney for the People

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SOLANO

10 THE PEOPLE OF THE STATE OF  
11 CALIFORNIA,

12 Plaintiff,

CASE NO. VCR180818  
VCR180941

13 vs.

14 NOTICE OF MOTION  
15 TO AMEND COMPLAINT  
16 AND POINTS AND  
17 AUTHORITIES IN  
18 SUPPORT OF MOTION

15 GEORGE EDWARD SHOCKLEY  
16 ✓ JERICE YATON HUNTER

17 Defendant(s)

18 DATE: 10/27/2005 DEPT: 6  
19 TIME: 8:30AM

20 TO THE ABOVE NAMED DEFENDANT AND HIS ATTORNEY:

21 PLEASE TAKE NOTICE that on October 27, 2005, in Dept. D6 at 8:30 AM, or as  
22 soon thereafter as the matter may be heard in the above entitled Court, the People will move for  
23 an Order of Court permitting an Amended Complaint to be filed herein, a copy of which is  
24 attached hereto.

NAME: HUNTER, JERICE YATON

CASE NO(S): VCR180941 VF

OTHER ORDERS

JAIL COMMITMENT / CUSTODY STATUS

- Pay Fine \$
incl. plus penalty assessment
Pay \$ Restitution Fine per 1202.4 PC plus
(10%) Admin. fee
Security fee per 1465.8(a)(1) PC.

- SERVE days / months in jail.
Forthwith
Stay to at am / pm
In lieu of fine In lieu of community service
suspended / all susp but

- SHOW PROOF OF: Compliance will vacate appearance date
Fine / fees, paid in full by
hrs Comm Serv/Volunteer work by
Restitution paid by
FTA Clearance in by
Re-enroll DUI class/BB36/ w/in days

CTS: days + 4019 PC time = Total
conc consec with

- Alternative sentencing program
Work furlough only recommended denied
Work release only recommended denied
E.M.R. only recommended denied

- Complete by Thru Prob Court
Restricted license granted:
to, from, during employment, DU school / program, jail

Report to PROFESSIONAL MONITORING SDF
within 3 working days

PROB. VIOLATION PROC. PROGRESS REPT.

BOOK & RELEASE by (8 am - 4 pm, Monday thru Friday)

- Def't admits denies, probation violation, based on:
new violation(s) in Case # or

- Pay jail fees of \$ per day of custody.
Jail fees waived.
Serve 1 day for each \$ of fine unpaid
or pay the fine \$

- Counsel voir dire defendant submits waiver of rights.
Court accepts admission after knowing, intelligent waiver of
rights, finding admission to be free & voluntary with adequate
factual basis.
Peo's witness(es):

REMANDED until next appearance - NO CITE RELEASE.

- Def's witness(es):

- As previously set 1275 PC APPLIES
Ball set at \$ 50,000 No Bail Cash only

- Court finds def't. in violation
dismisses the violation. No action taken.
revokes probation, based on:

Reduced/increased to \$ Prev. bond applies

- Referred for Supplemental Progress
report.

Until picked up by authorities.

- Report to Probation today by
Probation is:
continued same terms/conditions full force & effect.

- Allowed phone calls at County expense
limited to min. ea. during normal business hrs
Allowed visit(s) contact visit(s) with:

reinstated - SEE PROBATION ORDER FOR MODIFICATION(S).

- at the Sheriff's discretion
contact visit shall not delay defendant's transport to CDC.

- terminated as successful unsuccessful
Pet. granted per 1203.4 PC reduced to misd. per 17 PC
Pet. granted per 1210.1(d) PC. Case dismissed.
Any unfulfilled terms in transferred to Case #

- Release to P.O. for program screening placement
Refer for SOR CTS report.

RELEASED / CONTINUED

- OR SOR BAIL DEJ PROBATION
in custody other case(s) INTP INTP PENDING
RELEASE PENDING OTHER HOLDS

- Release conditions:
Obey all laws
Totally abstain from the use of alcohol illicit drugs.
Submit to alcohol drug testing X's per wk
Search & seizure.
Do not enter any public place where the primary item sold
or dispensed is an intoxicating liquor.
Attend AA or NA mtgs. per wk / mo In days
Bring proof to court.
Do not drive without a valid driver's license.
Make & keep appointment with attorney / Probation.
Do not possess any weapons or ammunition.
No contact No uninvited contact with Stay away from

- Do not harass, annoy, threaten
CLETS order signed, filed, faxed. Served on defendant.
Other:

TO THE SHERIFF: I CERTIFY THE FOREGOING TO BE A TRUE COPY OF THE JUDGMENT RENDERED ON THIS DATE BY THE ABOVE-NAMED JUDGE.

LINDA G. ASHCRAFT, CLERK / CEO

BY [Signature]

DEFENDANT, BEING RELEASED ON HIS / HER OWN RECOGNIZANCE AGREES THAT:
1) Defendant promises to appear at all times and places, as ordered by any court in which, or any magistrate before whom, the charge is pending; 2) defendant promises to obey all reasonable conditions imposed by the court or magistrate; 3) defendant promises not to depart this state without leave of the court; 4) defendant agrees to waive extradition if the defendant fails to appear as required and is apprehended outside the State of California; and; 5) defendant acknowledges (s)he has been informed of the consequences and penalties applicable to violation of the conditions of release.
Defendant understands that if charged with a misdemeanor or an infraction and released and willfully fails to appear, (s)he is guilty of a misdemeanor and may be punished by not more than six (6) months in county jail, a one thousand dollar (\$1,000) fine, or both.
Defendant understands that if charged with a felony and released and willfully fails to appear, (s)he is guilty of a felony and may be punished by not more than three (3) years in state prison, or one (1) year in county jail and a fine not to exceed ten thousand dollars (\$10,000) or both.

DEFENDANT
ADDRESS
DOB: PHONE NO.

Witness Date

Interpreter Date

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO  
Criminal Minute Order**

PEOPLE OF THE STATE OF CALIFORNIA vs

HUNTER, JERICE YATON  
Defendant  present  not present  
PEOPLE: A Khoury Deputy D.A.

DEFENSE: P. Henley  
 Private  P.D.  C.D.

INTERPRETER  
 Spanish

Court(s) / Charges(s): 273d(a) - PC, 273d(a) - PC, 273d(a) - PC, 273d(a) - PC  
DOB: 10/13/1973 Dr. License #: \_\_\_\_\_  
Booking #: 05-14570 D.A. #: V053478

Def. I.D. #: 0394833  
Arrest Agency: VJPD  
Violation Date: 04/20/2005

CASE NO (S): VCR180941 VF  
DATE: Oct 24 2005  
JUDGE/COMM: Wage  
REPORTER: L. Linzacy  
CLERK: A. Alkwar

**THIS CASE IS ASSIGNED TO JUDGE DAMES DEPT W FOR ALL PURPOSES**

**ARR / FUR. ARR**  **COUNSEL/PLEA**  **POSS DISM**  
 **ADMIT/DENY**  **REV PROC**  **PROG RPT**  
 **PT**  **RC**  **RCSP**  **RCTS**  **TRC**

Advised pursuant to §987.6 PC.  Financial statement filed.  
Def.  eligible  ineligible for court-appointed counsel.  
 \$ \_\_\_\_\_ P.D. registration fee  ordered  waived.  
 \_\_\_\_\_ declares conflict; relieved as counsel.  
 Court appoints C.D. to represent deft.  
 Deft waives counsel.  §977(b) PC waiver filed.  
 **Waives arraignment**  **Waives advice of rights**  
 Arraigned  Advised of rights  
 Deft's true name  above stated   
 Handed  by def  **Complaint**  **Information**  
 Discov.  Police rept  Transcript  INTP  PENDING  
 Court grants DA's Motion to Amend to  Add  Reduce

Def.  (s) Section(s) \_\_\_\_\_  
 **Deft pleads:**  **Deft withdraws previous plea(s) & pleads**  
 **Not Guilty**  **Not Guilty by Reason of Inanity**  
 **Guilty**  **Note Contendere**  
to  all count(s)  court(s)

section(s)  
 **Criminal proceedings**  suspended  reinstated  
 Deft ordered to complete D.A. Diversion.  
 Deft placed on informal Diversion for 6 months re dismissal.  
Pursuant to  Peo vs West  §17 PC  §1192.5 PC  
 Reserve right to file demurrer.

Admit  Deny \_\_\_\_\_ Prior(s)  
 Admit  Deny \_\_\_\_\_ Enhancement(s)  
Def't voir dire by  Crt  Counsel.  Submit a waiver of rights

**SEE DEFERRED ENTRY OF JUDGMENT ORDER.**

Based on Nolo plea Court finds defendant guilty.  
 Court accepts plea and finds  plea is **free & voluntary**  
 **Intelligent waiver** of rights is given  
 **factual basis** established based on  stipulation  
 police rept  prelm transcript  admission

**Case**  **Count(s)** \_\_\_\_\_ **DISMISSED.**  
on motion of  DA  Court  w/ Harvey waiver \_\_\_\_\_  
 Referral waived.  w/ Restitution \_\_\_\_\_  
Time  **Waived**  10 / 60  **Not Waived**  Pro Rate \_\_\_\_\_  
for  Trial  J&S  Last day for PX \_\_\_\_\_

**SEE PROBATION ORDER.**

Referred to Probation for report re:  pre-sentence  supp rpt  
 SOR  CTS  placement \_\_\_\_\_  
 Deft to report to Prob.  today  by \_\_\_\_\_  
 Probation Officer to interview defendant.  
 Counsel request setting  \$995  \$1538.5  Discovery motion.  
 \_\_\_\_\_  
 Defense file motion by \_\_\_\_\_  
DA respond by \_\_\_\_\_; Def. answer by \_\_\_\_\_

**MINUTE ORDER**  **WAIVER TO PROB. ON** \_\_\_\_\_  
Form #405 Rev 8-05

**BENCH WARRANT / BAIL ORDERS**

**B / W**  **Ordered - Bail \$** \_\_\_\_\_  **NO CITE RELEASE**  
 **Cash Only**  **No Bail**  **Stayed**  **To issue**  **Remain out**  
 **OR / SOR Revoked**  **DEJ Revoked**  **Probation Revoked**  
 **Vacated**  **Recalled from**  **S.O.** \_\_\_\_\_

**Bail**  **Forfeited** -  **Bond #** \_\_\_\_\_  
 **Cash**  **In lieu of fine**  
 **Notice of bail forfeiture stayed to** \_\_\_\_\_

**Reinstated**  **Exonerated**  after 15 days if no Comp. filed.  
 **Reassumption of liability** filed.

Time  **Waived**  **Pro Rata** \_\_\_\_\_  **Not Waived**  
for  **Trial**  **J&S** \_\_\_\_\_

**Jury Trial**  **Demanded** -- Est. time for trial \_\_\_\_\_ days

**Waived**  **Confirmed**  **Vacated** \_\_\_\_\_

**Set or TRLC** (or see below) \_\_\_\_\_ at \_\_\_\_\_ Dept. \_\_\_\_\_

**Last date for trial** \_\_\_\_\_ **NG Plea date** \_\_\_\_\_

**SEE PAGE 3 RE:** \_\_\_\_\_

**DEFENSE RESERVES THE RIGHT TO DEMURRER**

On Motion of  Court  DA  Defense  Probation,  
 **CONT. TO** 11-3-05 **AT** 8:30 AM

**DEPT** 6 **FOR:** (See below) 2 days

**Further Arraignment**  **Psych. Report(s)** \_\_\_\_\_  
 **S.O.R / CTS Report**  **M. H. Placement Report** \_\_\_\_\_  
 **Counsel / Plea**  **Supplemental Report** \_\_\_\_\_  
 **Stay on Bench Warrant**  **Judgment and Sentence** \_\_\_\_\_  
 **Setting:** \_\_\_\_\_  **Sentencing on PV** \_\_\_\_\_  
 **Motions / Ruling on Motions**  **Placement Report** \_\_\_\_\_  
 **Change of Plea**  **Progress Report**  **DEJ** \_\_\_\_\_  
 **Possible Dismissal**  **Admit / Deny Prob. Viol.** \_\_\_\_\_  
 **Pretrial Conference**  **TRC**  **Revocation Proceedings** \_\_\_\_\_  
 **RC**  **RCSP**  **RCTS**  **TMC**  **\$1551 PC Proceedings** \_\_\_\_\_  
 **Court / JURY Trial** -  **Calling**  **VACATE** \_\_\_\_\_  
 **Preliminary Hearing** -  **Confirmed** \_\_\_\_\_  
 **Long Cause M. C.** \_\_\_\_\_  
date 11-7-05  **Further Proc. re:** \_\_\_\_\_  
time 10 AM

dept 6  
 **Formal Revocation Hearing, re:** \_\_\_\_\_

**Other** \_\_\_\_\_  
 **Def't's appear. waived if** \_\_\_\_\_

**OTHER COURT DATE:** \_\_\_\_\_ **AT** \_\_\_\_\_  
**DEPT** \_\_\_\_\_ **FOR** \_\_\_\_\_



NAME: HUNTER, JERICE YATON

CASE NO(S): VCR180941 YF

JAIL COMMITMENT / CUSTODY STATUS

OTHER ORDERS

- Pay Fine \$
Incl plus penalty assessment
Pay \$
Restitution Fine per 1202.4 PC plus
\$ (10%) Admin. fee
\$ Security fee per 1466.8(a)(1) PC.

- SHOW PROOF OF: Compliance will vacate appearance date
Fine / fees, paid in full by
hrs Comm Serv/Volunteer work by
Restitution paid by
FTA Clearance in by
Re-enroll DUI class 8838/
w/in days
Complete by Thru Prob Court
Restricted license granted:
to, from, during employment, DUI school / program, jail

PROB. VIOLATION PROC. PROGRESS REPT.

- Def admits denies, probation violation, based on:
new violation(s) in Case #
Counsel voir dire defendant submits waiver of rights.
Court accepts admission after knowing, intelligent waiver of rights, finding admission to be free & voluntary with adequate factual basis.
Pep's witness(es):
Def's witness(es):

- Court finds deft. in violation
dismisses the violation. No action taken.
revokes probation, based on:

- Referred for Supplemental Progress
Report to Probation today by
Probation is:
continued same terms/conditions full force & effect.

reinstated - SEE PROBATION ORDER FOR MODIFICATION(S).

- terminated as successful unsuccessful
Pet. granted per 1203.4 PC reduced to misd. per 17 PC
Pet. granted per 1210.1(d) PC. Case dismissed.
Any unfulfilled terms in
transferred to Case #

- SERVE days / months in jail. Forthwith
Stay to at am / pm
In lieu of fine In lieu of community service
suspended / all susp but

CTS: days + 4019 PC time = Total
conc consec with

- Alternative sentencing program recommended denied
Work furlough only recommended denied
Work release only recommended denied
E.M.R. only recommended denied

Report to PROFESSIONAL MONITORING SDF
within 3 working days

- BOOK & RELEASE by (8 am - 4 pm, Monday thru Friday)
Pay jail fees of \$ per day of custody.
Jail fees waived.
Serve 1 day for each \$ of fine unpaid
or pay the fine \$

- REMANDED until next appearance - NO CITE RELEASE.
As previously set 1275 PC APPLIES
Bail set at \$ No Bail Cash only
Reduced/increased to \$ Prev. bond applies
Until picked up by authorities.
Allowed phone calls at County expense
limited to min. ea. during normal business hrs
Allowed visit(s) contact visit(s) with:
at the Sheriff's discretion
contact visit shall not delay defendant's transport to CDC.
Release to P.O. for program screening placement
Refer for SOR CTS report.

RELEASED / CONTINUED

- OR SOR BAIL DEJ PROBATION
In custody other case(s) INTP INTP PENDING
RELEASE PENDING OTHER HOLDS
Release conditions: Obey all laws
Totally abstain from the use of alcohol illicit drugs.
Submit to alcohol drug testing X's per wk
Search & seizure.
Do not enter any public place where the primary item sold or dispensed is an intoxicating liquor.
Attend AA or NA mtgs. per wk / mo in days
Bring proof to court.
Do not drive without a valid driver's license.
Make & keep appointment with attorney / Probation.
Do not possess any weapons or ammunition.
No contact No uninvited contact with Stay away from
Do not harass, annoy, threaten
CLETS order signed, filed, faxed. Served on defendant.
Other:

TO THE SHERIFF: I CERTIFY THE FOREGOING TO BE A TRUE COPY OF THE JUDGMENT RENDERED ON THIS DATE BY THE ABOVE-NAMED JUDGE. BY LINDA G. ASHCRAFT, CLERK / CEO

DEFENDANT, BEING RELEASED ON HIS / HER OWN RECOGNIZANCE AGREES THAT:
1) Defendant promises to appear at all times and places as ordered by any court in which, or any magistrate before whom, the charge is pending;
2) defendant promises to obey all reasonable conditions imposed by the court or magistrate;
3) defendant promises not to depart the state without leave of the court;
4) defendant agrees to waive extradition if the defendant fails to appear as required and is apprehended outside the State of California;
and:
5) defendant acknowledges (s)he has been informed of the consequences and penalties applicable to violation of the conditions of release.
Defendant understands that if charged with a misdemeanor or an infraction and released and willfully fails to appear, (s)he is guilty of a misdemeanor and may be punished by not more than six (6) months in county jail, a one thousand dollar (\$1,000) fine, or both.
Defendant understands that if charged with a felony and released and willfully fails to appear, (s)he is guilty of a felony and may be punished by not more than three (3) years in state prison, or one (1) year in county jail and a fine not to exceed ten thousand dollars (\$10,000) or both.

DEFENDANT ADDRESS DOB: PHONE NO.
Witness Date
Interpreter Date

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO  
Criminal Minute Order

OFF CAL 11/7

PEOPLE OF THE STATE OF CALIFORNIA vs

CASE NO (S): VCR180941 VF  
NOV 03 2005

**HUNTER, JERICE YATON**

Defendant  present  not present

PEOPLE: Nancy Spink Deputy D.A.

DEFENSE: Carol King  
 Private  P.D.  C.D.

INTERPRETER

Spanish

Court(s) / Charge(s): 273d(a)-PC, 273d(b)-PC, 273d(c)-PC, 273d(d)-PC

DOB: 10/13/1973

Dr. License #:

Booking #: 05-14570

D.A. #:

V053478

Deft Status: CJ

Citation #:

Deft I.D. #: 0394833

Arrest Agency: VJPD

Violation Date: 04/20/2005

THIS CASE IS ASSIGNED TO JUDGE \_\_\_\_\_ DEPT \_\_\_\_\_ FOR ALL PURPOSES

ARR / FUR. ARR  COUNSEL/PLEA  POSS DISM  
 ADMIT/DENY  REV PROC  PROG RPT  
 PTC/RC  RCSP  RCTS  TRC

Advised pursuant to §987.8 PC.  Financial statement filed.  
Deft  eligible  ineligible, for court-appointed counsel.  
 \$ \_\_\_\_\_ P.D. registration fee  ordered  waived.  
 declares conflict, relieved as counsel.  
 Court appoints \_\_\_\_\_ to represent deft.  
Deft waives counsel.  §977(b) PC waiver filed.  
 Waives arraignment  Waives advice of rights  
Arraigned  Advised of rights  
Deft's true name  above stated   
 Handed  atty  deft:  Complaint  Information  
 Discov.  Police rpt:  Transcript  INTP  PENDING  
 Court grants DA's Motion to Amend to  Add  Reduce  
Cnt(s) \_\_\_\_\_ Section(s) \_\_\_\_\_  
 Deft pleads:  Deft withdraws previous plea(s) & pleads  
 Not Guilty  Not Guilty by Reason of Insanity  
 Guilty  Nolo Contendere  
to  all count(s)  count(s)  
section(s)  
 Criminal proceedings  suspended  reinstated  
 Deft ordered to complete D.A. Diversion.  
 Deft placed on Informal Diversion for 6 months re dismissal.  
Pursuant to  Peo va West  §17 PC  §1192.5 PC  
 Reserve right to file demurrer.

Admit  Deny \_\_\_\_\_ Prior(s)  
 Admit  Deny \_\_\_\_\_ Enhancement(s)  
Deft voir dired by  Crt  Counsel.  Submits waiver of rights

SEE DEFERRED ENTRY OF JUDGMENT ORDER.  
 Based on Nolo plea Court finds defendant guilty.  
 Court accepts plea and finds  plea is free & voluntary  
 Intelligent waiver of rights is given  
 factual basis established based on  stipulation  
 police rpt  prelim transcript  admission

Case  Count(s) **DISMISSED.**  
on motion of  DA  Court  w/ Harvey waiver  
 Referral waived.  w/ Restitution  
Time  Waived  10 / 80  Not Waived  Pro Rata  
for  Trial  J&S  Last day for PX

SEE PROBATION ORDER.  
Referred to Probation for report re:  pre-sentence  supp rpt  
 SOR  CTS  placement   
 Deft to report to Prob.  today  by \_\_\_\_\_  
 Probation Officer to interview defendant.  
 Counsel request setting:  §995  §1538.5  Discovery  
 motion.  
 Defense file motion by \_\_\_\_\_  
DA respond by \_\_\_\_\_ Def. answer by \_\_\_\_\_

MINUTE ORDER  WAIVER TO PROB. ON  
Form #405 Rev 8-05

BENCH WARRANT / BAIL ORDERS

B / W  Ordered - Bail \$ \_\_\_\_\_  NO CITE RELEASE  
 Cash Only  No Bail  Stayed  To issue  Remain out  
 OR / SOR Revoked  DEJ Revoked  Probation Revoked  
 Vacated  Recalled from  S.O.   
Bail  Forfeited -  Bond # \_\_\_\_\_  
 Cash  In lieu of fine  
 Notice of bail forfeiture stayed to \_\_\_\_\_  
 Reinstated  Exonerated  after 15 days if no Comp. filed.  
 Reassumption of liability filed.

Time  Waived  Pro Rata \_\_\_\_\_  Not Waived  
for  Trial  J&S

Jury Trial  Demanded -- Est. time for trial \_\_\_\_\_ days  
 Waived  Confirmed  Vacated  
 Set or TRLC (or see below) \_\_\_\_\_ at \_\_\_\_\_ Dept.  
 Last date for trial \_\_\_\_\_ NG Plea date \_\_\_\_\_

SEE PAGE 3 RE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

On Motion of  Court  DA  Defense  Probation,  
 CONT. TO 11-1-05 AT 8:30am  
DEPT 6, FOR: (See below)

Further Arraignment  Psych. Report(s)  
 S.O.R / CTS Report  M. H. Placement Report  
 Counsel / Plea  Supplemental Report  
 Stay on Bench Warrant  Judgment and Sentence  
 Setting: Plm  Sentencing on PV  
 Motions / Ruling on Motions   
 Change of Plea  Placement Report  
 Possible Dismissal  Progress Report  DEJ  
 Pretrial Conference  TRC  Admit / Deny Prob. Viol.  
 RC  RCSP  RCTS  TMC  Revocation Proceedings  
 Court / JURY Trial -  Calling  §1551 PC Proceedings  
 Preliminary Hearing -  Confirmed  
 Long Cause M. C.  VACATE 11-7-05  
date \_\_\_\_\_  Further Proc. re: \_\_\_\_\_  
time \_\_\_\_\_  
dept \_\_\_\_\_  
 Formal Revocation Hearing, re: \_\_\_\_\_

Other Motion to Amend  
 Deft's appear. waived if \_\_\_\_\_  
OTHER COURT DATE: \_\_\_\_\_ AT \_\_\_\_\_  
DEPT \_\_\_\_\_ FOR \_\_\_\_\_

**LINCOLN GENERAL INSURANCE COMPANY**

TWO JINN, INC.  
GENERAL AGENT

1959 Palomar Oaks Way, Suite 200  
Carlsbad, CA 92011  
Telephone (800) 808-2245 Fax (760) 431-2698

**ALADDIN BAIL BONDS  
CLAIMS DIVISION**

2025 Gateway Place, Suite 235  
San Jose, CA 95110  
Telephone (408) 487-8670 Fax (408) 487-8692  
License # 1843442

*J. Parks*  
SECURITY CLERK

(PLACE BAIL AGENT'S ADDRESS STAMP HERE)

**BAIL BOND**

No. LG50-369981

(POWER OF ATTORNEY WITH THIS NUMBER MUST BE ATTACHED.)

IN THE Superior COURT OF THE Vallejo JUDICIAL DISTRICT  
COUNTY OF Solano, STATE OF California  
THE PEOPLE OF THE STATE OF California

Plaintiff,

CASE NO. VCR180941

DIV. NO. 6

vs.  
Jerice Hunter @ 394833

Defendant.

Defendant Jerice Hunter

(NAME OF DEFENDANT)

05-14570

BOOKING NO.

having been admitted to bail in the sum of Fifty thousand

~~to Dollars (\$50,000)~~ and ordered to appear in the above-entitled court

on 830am 1-5, 2006 on 273 D(A)PCX3 charge/s;

(DATE OF APPEARANCE)

(STATE "MISDEMEANOR" OR "FELONY")

Now, the LINCOLN GENERAL INSURANCE COMPANY, a Pennsylvania Corporation hereby undertakes that the above-named defendant will appear in the above-named court on the date above set forth to answer any charges in any accusatory pleading based upon the acts supporting the complaint filed against him/her and as duly authorized amendments thereof, in whatever court it may be filed and prosecuted, and will at all times hold him/herself amenable to the orders and process of the court, and if convicted, will appear for pronouncement of judgment or grant of probation; or if he/she fails to perform either of these conditions, that the LINCOLN GENERAL INSURANCE COMPANY, a Pennsylvania Corporation, will pay the people of the said State the sum of Fifty thousand dollars (\$50,000)

If the forfeiture of this bond be ordered by the Court, judgment may be summarily made and entered forthwith against the said LINCOLN GENERAL INSURANCE COMPANY, a Pennsylvania Corporation, for the amount of its undertaking herein as provided by State Law.

THIS BOND IS VOID IF WRITTEN FOR AN AMOUNT GREATER THAN THE POWER OF ATTORNEY ATTACHED HERETO, IF MORE THAN ONE SUCH POWER IS ATTACHED, OR IF WRITTEN AFTER THE EXPIRATION DATE AS SPECIFIED ON THE ATTACHED POWER OF ATTORNEY.

**LINCOLN GENERAL INSURANCE COMPANY**  
(A Pennsylvania Corporation)



By Peter Botz (SEAL)  
PETER BOTZ  
ATTORNEY-IN-FACT

I certify under penalty of perjury that I am a licensed bail agent of the LINCOLN GENERAL INSURANCE COMPANY and

that I am executing this bond on 12-22-05  
(DATE)

at Solano County Jail  
(LOCATION)

Jerice Parks  
(SIGNATURE OF LICENSED AGENT)

THE PREMIUM CHARGED FOR THIS BOND PER ANNUM IS \$ 5015

Approved this 22 day of Dec, 20 05  
Jerice Parks (TITLE)

NOTE: This is an Appearance Bond and cannot be construed as a guarantee for failure to provide payments, back alimony payments, Fines, or Wage Law claims, nor can it be used as a Bond on Appeal.

1 It is further alleged as to count(s) 1,2,3,4,5 pursuant to Penal Code Section 667.5(b) that the  
2 defendant GEORGE EDWARD SHOCKLEY, has suffered the following prior conviction(s):

3 Court Case Code/Statute Conviction Date County State Court Type  
4 C44318 Penal Code 290(g) 08/26/1997 Solano CA Superior

5 and that a term was served as described in Penal Code section 667.5 for said offense(s), and that  
6 the defendant did not remain free of prison custody for, and did commit an offense resulting in a  
7 felony conviction during, a period of five years subsequent to the conclusion of said term.


8 It is further alleged that the defendant GEORGE EDWARD SHOCKLEY AND JERICE  
9 YATON HUNTER, did commit acts which aggravate the above crime(s) pursuant to Rules 4.408  
10 and 4.421 of the California Rules of Court.

11 **DISCOVERY REQUEST PURSUANT TO PENAL CODE SECTION 1054/1054.7:**

12 Pursuant to Penal Code sections 1054 through 1054.7, the People request that, within fifteen (15)  
13 days, the defendant and/or his/her attorney disclose: (a) The names and addresses of persons,  
14 other than the defendant, he/she intends to call as witnesses at trial, together with any relevant  
15 written or recorded statements of experts made in connection with the case, and including the  
16 results of physical or mental examinations, scientific tests, experiments, or comparisons which  
17 the defendant intends to offer in evidence at the trial. This request is a continuing request, to  
18 cover not only all such material currently in existence, but also all material which comes into  
19 existence to the conclusion of this case.

20 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND  
21 CORRECT AND THAT THIS COMPLAINT CONSISTS OF 5 COUNT(S).

22 Executed at Vallejo, California, on October 21, 2005.

23   
24 MICHAEL MULLINS  
25 DECLARANT AND COMPLAINANT

26 AGENCY: VPD

D.A. NO.: V053478

Arresting Officer: TRIBBLE, Badge # 587

DEFENDANT	CII NO	DOB	BOOKING NO	CUSTODY R'TN DATE
GEORGE EDWARD SHOCKLEY	A08211 886	4/17/1967 10/13/1973	76115 05-14570	
JERICE YATON HUNTER	A10956 897			

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**COUNT 3**

On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely: CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to wit, J.H., age 7, female.

**COUNT 4**

On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely: CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to wit, J.H., age 3, female.

**COUNT 5**

On or about and between April 20, 2005 and October 15, 2005, defendant(s) GEORGE EDWARD SHOCKLEY did commit a felony namely: FAILURE TO REGISTER, PRIOR CONVICTION, a violation of Section 290(g)(3) of the Penal Code of the State of California, County of Solano, in that said defendant being a person described in paragraph (3) of subdivision (g) of Section 290, did willfully violate a requirement of Section 290 after having been previously convicted of a violation of Section 290.

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) as to counts 1,2,3,4,5 that the defendants(s): GEORGE EDWARD SHOCKLEY and JERICE YATON HUNTER, has suffered the following prior conviction of a serious or violent felony or juvenile adjudication:

<u>Court Case</u>	<u>Code/Statute</u>	<u>Conviction Date</u>	<u>County</u>	<u>State</u>	<u>Court Type</u>
C34584	Penal Code 288(a)	04/29/1993	Solano	CA	Superior

It is further alleged as to count(s) 1,2,3,4,5 pursuant to Penal Code Section 667.5(b) that the defendant GEORGE EDWARD SHOCKLEY, has suffered the following prior conviction(s):

<u>Court Case</u>	<u>Code/Statute</u>	<u>Conviction Date</u>	<u>County</u>	<u>State</u>	<u>Court Type</u>
C34584	Penal Code 288(a)	04/29/1993	Solano	CA	Superior

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the defendant did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

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FILED  
SOLANO COUNTY COURT  
OCT 26 AM 9:22  
LINDA G. ASHCRAFT  
BY \_\_\_\_\_ DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff

vs.

Case No. VCR180818  
✓ VCR180941  
FELONY COMPLAINT

GEORGE EDWARD SHOCKLEY (4/17/1967)  
✓ JERICE YATON HUNTER (10/13/1973)  
Defendant(s)

0394833

The undersigned is informed and believes that:

COUNT 1

On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely: CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to wit, J.H. age 14, male.

COUNT 2

On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely: CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to wit, J.H., age 9, female.

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AGENCY: VPD

D.A. NO.: V053478

Arresting Officer: TRIBBLE, Badge # 587

DEFENDANT	CII NO	DOB	BOOKING NO	CUSTODY R'TN DATE
GEORGE EDWARD SHOCKLEY	A08211 886	4/17/1967 10/13/1973	76115 05-14570	
JERICE YATON HUNTER	A10956 897			

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Court Case Code/Statute Conviction Date County State Court Type  
C34584 Penal Code 288(a) 04/29/1993 Solano CA Superior

It is further alleged as to count(s) 1,2,3,4,5 pursuant to Penal Code Section 667.5(b) that the defendant GEORGE EDWARD SHOCKLEY, has suffered the following prior conviction(s):

Court Case Code/Statute Conviction Date County State Court Type  
C34584 Penal Code 288(a) 04/29/1993 Solano CA Superior

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the defendant did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

It is further alleged as to count(s) 1,2,3,4,5 pursuant to Penal Code Section 667.5(b) that the defendant GEORGE EDWARD SHOCKLEY, has suffered the following prior conviction(s):

Court Case Code/Statute Conviction Date County State Court Type  
C44318 Penal Code 290(g) 08/26/1997 Solano CA Superior

and that a term was served as described in Penal Code section 667.5 for said offense(s), and that the defendant did not remain free of prison custody for, and did commit an offense resulting in a felony conviction during, a period of five years subsequent to the conclusion of said term.

It is further alleged that the defendant GEORGE EDWARD SHOCKLEY AND JERICE YATON HUNTER, did commit acts which aggravate the above crime(s) pursuant to Rules 4.408 and 4.421 of the California Rules of Court.

**DISCOVERY REQUEST PURSUANT TO PENAL CODE SECTION 1054/1054.7:**  
Pursuant to Penal Code sections 1054 through 1054.7, the People request that, within fifteen (15) days, the defendant and/or his/her attorney disclose: (a) The names and addresses of persons, other than the defendant, he/she intends to call as witnesses at trial, together with any relevant written or recorded statements of experts made in connection with the case, and including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial. This request is a continuing request, to cover not only all such material currently in existence, but also all material which comes into existence to the conclusion of this case.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 6 COUNT(S).

Executed at Vallejo, California, on October 26, 2005.

  
TERRY RAY  
DECLARANT AND COMPLAINANT



**COUNT 2**

1 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
2 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
3 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
4 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
5 and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
6 wit, J.H. age 14, male.

**COUNT 3**

7 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
8 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
9 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
10 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
11 and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
12 wit, J.H., age 9, female.

**COUNT 4**

13 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
14 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
15 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
16 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
17 and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
18 wit, J.H., age 7, female.

**COUNT 5**

19 On or about and between April 20, 2005 and October 14, 2005, defendant(s) GEORGE  
20 EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely:  
21 CORPORAL INJURY TO CHILD, a violation of Section 273d(a) of the Penal Code of the State  
22 of California, County of Solano, in that said defendant did willfully and unlawfully inflict cruel  
23 and inhuman corporal punishment and injury, resulting in a traumatic condition, upon a child, to  
24 wit, J.H., age 3, female.

**COUNT 6**

25 On or about and between April 20, 2005 and October 15, 2005, defendant(s) GEORGE  
26 EDWARD SHOCKLEY did commit a felony namely: FAILURE TO REGISTER, PRIOR  
CONVICTION, a violation of Section 290(g)(3) of the Penal Code of the State of California,  
County of Solano, in that said defendant being a person described in paragraph (3) of subdivision  
(g) of Section 290, did willfully violate a requirement of Section 290 after having been  
previously convicted of a violation of Section 290.

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through  
(i) as to counts 1,2,3,4,5 that the defendants(s): GEORGE EDWARD SHOCKLEY and JERICE  
YATON HUNTER, has suffered the following prior conviction of a serious or violent felony or  
juvenile adjudication:

**ENDORSED FILED**  
Clerk of the Superior Court

DEC 01 2005

LINDA G. ASHCRAFT

By     *LGA*      
DEPUTY CLERK

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SOLANO

OF THE STATE OF CALIFORNIA,

Plaintiff

Case No. VCR180818  
VCR180941

vs.

SECOND AMENDED  
FELONY COMPLAINT

GEORGE EDWARD SHOCKLEY (4/17/1967)

JERICE YATON HUNTER (10/13/1973)

Defendant(s)

The undersigned is informed and believes that:

**COUNT 1**

On or about and between April 1, 2005 and October 14, 2005, defendant(s) GEORGE EDWARD SHOCKLEY AND JERICE YATON HUNTER did commit a felony namely: TORTURE, a violation of Section 206 of the Penal Code of the State of California, County of Solano, in that said defendant did unlawfully and with the intent to cause cruel and extreme pain and suffering for the purpose of revenge, extortion, persuasion and for a sadistic purpose, inflict great bodily injury, as defined in Penal Code section 12022.7, upon J. H. age 7, female.

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

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