

Booking # _____ DOB 01/17/1976
 Arraignment Required

SAN DIEGO SUPERIOR COURT
CENTRAL COUNTY

FTB/COD CA-FTA CA-FTP
 Trust \$ _____

DATE: 11/04/2019 NAME: HOUSER, MATTHEW STERLING CASE NUMBER: 19T049326C

KM1

CHARGE(S): SDMC63.0102b12 COUNTER: 01:04:09

APPEARANCES Def. appears self-represented with without by counsel at counter by correspondence video hearing IN CUSTODY
 Defendant not produced in courtroom Personal presence waived Peremptory challenge as to Judge / Commissioner _____ filed.
Attorney: Coleen M Cusack PD Counseling CAC Retained See Order. Waives conflict for arraignment only.
 DDA DCA _____ present. Interpreter: Spanish Sworn Oath on file Provisionally/temporarily qualified
 Defendant advised of his constitutional rights by Court Counsel. Rights form filed. *(see reverse) Not guilty plea affirmed.
 The court advises the defendant of the right not to testify and that testifying may subject the defendant to cross-examination.

MOTIONS Def. withdraws not guilty plea to count(s) _____ Def. pleads guilty Nolo contendere to count(s) _____

People Court Defense motion to dismiss, in the furtherance of justice: LOP IOE POC Identity _____
 upon plea to count(s) _____ Other: _____ *re: SDT re: dismissal*
 Motion to: release SDT + dismiss case re: discovery GRANTED DENIED

Count(s) _____ Complaint amended to add defendant _____ by interlineation Per VC 40001(a)

COURT TRIAL PROCEEDINGS Defendant being absent, case proceeds in absentia. Product of SDT received. *released to def. atty by court*
PEOPLE'S CASE: Witnesses sworn and examined Exhibit(s) _____ Received Released
SDPD1 GREENAN, D. diagram maintenance records photos

 Defense Court's motion for judgment of acquittal pursuant to PC 1118 Argument presented GRANTED DENIED

DEFENDANT'S CASE Witnesses sworn and examined Exhibit(s) _____ Received Released

1 Defendant diagram photos
2

PARTIES REST

COURT RULING Matter taken under submission. Defendant to be notified of decision by mail.
Court finds the defendant: GUILTY of _____ NOT GUILTY of _____

Product of SDT Exhibits to be destroyed: _____ Waiver of Notice of Destruction of Evidence (CRM-40) signed and filed.

COURT DATES Matter set for SENTENCING COURT TRIAL OTHER: OSC *Why city Atty should not be cited for contempt + sanctioned for discovery violations*
on: 12-10-19 at 1:00 in Dept. A
Defendant waives demands time for sentencing. Prior plea conviction judgment set aside as to count(s) _____ Sentence modified as to count(s) _____

JUDGMENT	Count 1	Count 2	Count 3	Count 4	Count 5	Amounts Due
Imposition of sentence suspended for a period of _____ years Upon the following conditions:						
Pay a FINE (including Penalty Assessment, Criminal Conviction Assessment and Court Operations Assessment)	Court orders San Diego Police Dept. + San Diego City Attorney's Office to give Ms. Cusack that officer's body-worn camera footage of incident on CD no later than Nov. 21, 2019. Defense to prepare + submit order consistent with this ruling by Nov. 8, 2019. Def. to serve order on parties by Nov. 14, 2019. Additionally, defense to file + serve city Attorney's office with <u>OSC notice of OSC hearing by Nov. 12, 2019. Officer Greenan is ordered to return for OSC hrg. Officer to be re-subpoenaed for OSC hrg.</u>					
<input type="checkbox"/> Amount suspended for _____ mos/yrs <input type="checkbox"/> Credit for time served						-\$
Pay Transaction Fee(s) <input type="checkbox"/> Fee waived						+\$
Pay Victim's Restitution Fine/ Misdemeanor Fee						+\$
Probation Revocation Restitution Fine Imposed & Suspended						
Pay Traffic School Fee <input type="checkbox"/> TS completion <input type="checkbox"/> previously received						
<input type="checkbox"/> Judgment stayed. <input type="checkbox"/> 8 hr. Traffic School <input type="checkbox"/> authorized <input type="checkbox"/> declined <input type="checkbox"/> denied. Upon payment of fees and proof of completion, the violation(s) will be <input type="checkbox"/> dismissed <input type="checkbox"/> reported to DMV as a confidential conviction pursuant to VC1808.7.						
Attend <input type="checkbox"/> CSS <input type="checkbox"/> Behavior Modification (Traffic) 16 hr. <input type="checkbox"/> FCP Education only <input type="checkbox"/> Alcohol <input type="checkbox"/> Anger Mgmt. Program <input type="checkbox"/> 8 hour Traffic School <input type="checkbox"/> Enhancement						Paid Today
Violate no same or similar offense						
Not drive without a valid driver license and liability insurance						
Pay AR/Installment Fee <input type="checkbox"/> \$30.00 <input type="checkbox"/> \$35.00 <input type="checkbox"/> _____ <input type="checkbox"/> Waived <input type="checkbox"/> if paid timely						
CJ Admin Fee						
Counseling/CAC Fee						
VC40508.5(a)/PC853.7a Fee <input type="checkbox"/> included in fine <input type="checkbox"/> added to fine <input type="checkbox"/> to be paid by _____ <input type="checkbox"/> waived						

SERVE _____ days / hrs. in the CUSTODY of the Sheriff; _____ days suspended _____ days / hrs. CTS [_____ days actual, _____ days PC4019]
 At defendant's request - infraction. _____ days custody stayed pending successful completion of probation.
 Serve consecutive to concurrent with: _____ Consecutive weekends Work Release authorized - see reverse
 Complete _____ days PSP. in lieu of fine. PSP Fee waived Contact PSP _____ hours VOLUNTEER WORK AT \$ _____ /hr. by _____
 In lieu of \$ _____ and/or _____ day license suspension, attend _____ self-help meetings. Attend MADD _____
 Not use or possess any controlled substance without a prescription. Totally abstain from drinking alcoholic beverages.
 Court finds compelling reason(s) not to suspend license. Defendant's request for restricted license GRANTED Critical need found DENIED
 Driver license suspended restricted for _____ days/mos. Commencing forthwith midnight tonight by _____ surrendered See OTHER
 May drive: to/from work in the course of employment to/from school in medical emergencies in the course of court ordered programs impounded for 30 days pursuant to VC40508(d) DL310 (verbal written) DL145 issued
 Ignition Interlock Device ordered for _____ yrs., see addendum. Not own or operate a vehicle without a functioning IID. IID not ordered (I.O.J.)
 Upon proof of insurance driver license registration valid on offense date correction CSS by _____ Proof presented in court.
 Upon proof of completion of Drug Education 101 by _____ the fine on count _____ will be deleted.
 \$ _____ to be suspended as to count(s) _____ for _____ years, no same or similar violations.
 Count(s) _____ to be dismissed upon payment of \$ _____ Transaction fee(s).

CIVIL ASSESSMENT REMAINS REDUCED TO \$ _____ VACATED BALANCE SET ASIDE STAYED UNTIL _____
 Abstract to DMV: Online Amended K FTA FTP DL 157 Traffic school certificate due: _____

Pay fine, file proof or appear if unable to comply **TOTAL AMOUNT DUE: \$ _____ ON OR BEFORE: _____**
Payments granted at \$ _____ /month, commencing _____ Consecutive to Concurrent with
 DEFENDANT ORDERED TO REPORT TO COURT COLLECTION OFFICER COLLECTION AGENCY FRANCHISE TAX BOARD
 FORTHWITH BY: _____

WARRANT DEFENDANT FAILED TO APPEAR O.R. release revoked Probation revoked Affidavit requested Civil assessment ordered.
Warrant ordered: Bench \$ _____ VC 40508(a) PC 853.7 PC 166.4 Commit: _____ days forthwith
 in due course Held to: _____ SCHEDULE FOR COURT Night service authorized MANDATORY APPEARANCE
 RECALL WARRANT Order for warrant/civil assessment rescinded.

BAIL STATUS Continued Forfeited Forfeiture set aside Reinstated Exonerated Upon payment of \$ _____ court cost cost waived
 Bail to apply to fine/fees, refund any balance refund fine/fees Bail not to apply to Civil Assessment.

OTHER Comm. Doft retains personal jurisdiction

Judge Commissioner Temporary Judge Doft By Stipulation, Clerk E. Kujawa
DISTRIBUTION: DEPT. JAIL ATTY. DA/CA WRP WK FUR PSWP R&R PROB INTERP. ARR. AGENCY PCC SAAU COLL. AGENCY DMV.