

RIVERSIDE SUPERIOR COURT

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Criminal Case Report

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Case CR43908 - Defendants

Seq	Defendant	Next Court Date	Status	Agency / DR Number	Arrest Date	Count 1 Charge	Violation Date
1	DIVITA, MICHAEL JOHN				N/A	PC 243.4(A)	03/27/1991

Case CR43908 - DIVITA, MICHAEL JOHN - Status

Filing Type **Held to Answer**

Ordered Bail **\$250,000.00**

D.A. **M. DAVISON**

Next Action:

Custody

Filing Date

Posted Bail

Defense

Deputy Report #: **RSMV**

In Custody

07/17/1992

\$0.00

DPD-J. BUBELLO

Warrant	Type	Status	Issued	Affidavit
		NONE	N/A	N/A
Probation	Type	Granted	Expiration	
	Formal	03/11/1993	03/11/1997	
Sentence	Convicted Date	County Jail	CTS	
	01/19/1993	758 Days	168 Days	
	State Prison	Max Sentence		
	N/A	N/A		
	Fine and Penalty	Restitution Fine	Restitution to Victim	
	GJC31	0	N/A	

Case CR43908 - DIVITA, MICHAEL JOHN - Charges

Infor Charges						
Count	Charge	Severity	Description	Violation Date	Plea	Status
1	PC 243.4(A)	F	SEXUAL BATTERY	03/27/1991	GUILTY	CONVICTED
2	PC M647.6	M	Molest child u/18	03/27/1991	GUILTY	CONVICTED

Case CR43908 - DIVITA, MICHAEL JOHN - Probation

Probation Type: FORMAL Granted: 03/11/1993 Expire: 03/11/1997

FORMAL PROBATION IS GRANTED FOR A PERIOD OF 36 MONTHS UNDER THE FOLLOWING TERMS AND CONDITIONS:

- 1) OBEY ALL LAWS, ORDINANCES, AND COURT ORDERS.
- 2) BE COMMITTED TO CUSTODY OF RSO FOR MODERATE PERIOD OF TIME, 210 DAYS;
- 3) PAY TOTAL OF \$100.00, INCLUDES FINE OF \$100.00 AND PA OF \$0.00, PURS. TO 290.3 PC, THRU & IN A MANNER TO BE DETERM'D BY FINANC. SVCS, BY 00/00/00
- 4) SUBMIT TO IMMEDIATE SEARCH OF PERSON, AUTO, HOME, PREMISES, GARAGE, STORAGE AREAS & PERSONAL/LEASED PROPERTY WITH OR W/O CAUSE BY PO OR LAW ENFORCEMENT OFFICER
- 5) RSO TO FORWARD SPECIMEN(S) TO DOJ FOR ANALYSIS, AND DOJ TO NOTIFY THE PROBATION OFFICER OF DEFENDANT'S COMPLIANCE OR NON-COMPLIANCE;
- 6) DO NOT ASSOCIATE WITH ANY FEMALE MINOR UNLESS ACCOMPANIED BY A RESPONSIBLE ADULT APPROVED BY THE PROBATION OFFICER.
- 7) STAY AWAY FROM PLACES WHERE MINOR(S) CONGREGATE, SUCH AS LOCATIONS ESPECIALLY DESIGNATED FOR USE BY MINORS;
- 8) ADDED TERM: NOT HAVE ANY CONTACT W/VICTIMS LISA MESA & MANDI M
- 9) SUBMIT IMMEDIATE SEARCH OF PERSON, BUSINESS, HOME, AUTO, STORAGE, PERSONAL PROPERTY FOR DETECTION OF SEXUALLY EXPLICIT MATERIAL AND/OR PRESENCE OF MINOR(S)
- 10) SEEK AND MAINTAIN GAINFUL EMPLOYMENT OR ATTEND A FULL-TIME SCHOOL OR VOCATIONAL PROGRAM;
- 11) RESIDE AT A RESIDENCE APPROVED BY THE PROBATION OFFICER AND NOT MOVE WITHOUT HIS/HER PRIOR APPROVAL.
- 12) PARTICIPATE AND COMPLETE AT YOUR EXPENSE ANY COUNSELING, REHABILITATION/TREATMENT PROGRAM DEEMED APPROPRIATE BY PROBATION OFFICER; AND AUTHORIZE
- 13) REGISTER WITH LOCAL LAW ENFORCEMENT WITHIN 5 DAYS FROM TODAY OR WITHIN 5 DAYS UPON RELEASE FROM CUSTODY PURSUANT TO 290 PC;
- 14) REPORT TO PROBATION OFFICER IMMEDIATELY OR WITHIN 2 DAYS OF RELEASE FROM CUSTODY FOR INITIAL INSTRUCTIONS, AND FOLLOW ALL REASONABLE DIRECTIVES OF PO.
- 15) BE COMMITTED TO THE CUSTODY OF THE RIVERSIDE COUNTY SHERIFF FOR 3 DAYS;
- 16) PAY VICTIM RESTITUTION, TO BE DETERMINED BY FINANCIAL SERVICES; ANY DISPUTE TO BE RESOLVED IN A COURT HEARING.
- 17) ENROLL AND SUCCESSFULLY COMPLETE THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM (RSAT). COMMITMENT TO BE SERVED ON CONSECUTIVE WEEKENDS FROM FRIDAYS 4 PM TO SUNDAYS 7PM COMMENCING FRIDAY OR AS AUTHORIZED BY RSO WEEKEND PROGRAM.
- 18) ADDED TERM: NOT POSSESS ANY SEXUALLY EXPLICIT MATERIAL.

Case CR43908 - DIVITA, MICHAEL JOHN - Related Cases On Calendar**Related Cases On Calendar***This Defendant Does Not Have Any Other Cases With Future Hearings Scheduled.***Case CR43908 - DIVITA, MICHAEL JOHN - All of Defendant's Other Cases**

Case Number	Filed Date	Charges	Next Hearing	Jurisdiction	Status
RIF10002366	05/10/2010	PC 242 PC 220 PC 245(A)(1) PC 667(A)	None Scheduled	SUPERIOR COURT-RIVERSIDE	Closed
49727MAMD	05/03/2010	VC 16028A	None Scheduled	SUPERIOR COURT - BANNING BRANCH	Closed
RIF147345	12/22/2008	PC 288(C)(1) PC 667(C) PC 667(E)(1)	None Scheduled	SUPERIOR COURT-RIVERSIDE	Closed
84172MD	12/02/2008	VC 22350 VC 5200A	None Scheduled	SUPERIOR COURT - BANNING BRANCH	Closed
BM80254MD	11/13/2008	VC 24603E	None Scheduled	SUPERIOR COURT - BANNING BRANCH	Closed
BAM034886	04/23/2008	VC 2803(A) VC 2803A	None Scheduled	SUPERIOR COURT-RIVERSIDE	Closed
BM71172MD	02/27/2008	VC 21453C	None Scheduled	SUPERIOR COURT - BANNING BRANCH	Closed
77145MD	03/20/2007	VC 4000A1	None Scheduled	SUPERIOR COURT - BANNING BRANCH	Closed
629316MD	11/08/2006	VC 21461A PC 1214.1(A)	None Scheduled	SUPERIOR COURT - RIVERSIDE	Closed
302592MD	03/20/2003	VC 27153 VC 27315D1 PC 1214.1	None Scheduled	SUPERIOR COURT - BANNING BRANCH	Closed

Case CR43908 - DIVITA, MICHAEL JOHN - Actions & Minutes

Action Date	Action Text	Disposition	Hearing Type
08/28/2000	CRIMINAL EXHIBITS DESTROYED 08/23/00 (REFER TO ED)		
05/23/2000	NOTICE OF DESTRUCTION OF EXHIBITS/DEPOSITIONS FILED.		
01/05/1998	MISCELLANEOUS PAYMENT OF \$1.75 RECEIVED.		
Minutes <input type="button" value="Print Minute Order"/>			
PEMB 980106-0078-CS SCF/ 1.75 000			
03/13/1997	FEE SUSPENDED IN AMOUNT OF \$750.00 FOR ATTORNEY FEES REASON: STATE PRISON		
12/06/1996	BALANCE OF \$750.00 OWED FOR ATTNY FEES; ALL		

	PREVIOUS PAYMENTS POSTED ON PROBATION ACCTNG SYSTEM		
12/28/1995	REMITTITUR FROM COURT OF APPEAL FILED; RULING AFFIRMED; JUSTICE HOLLENHORST		
10/20/1994	CERTIFIED TRANSCRIPT(S) TO COURT OF APPEAL.		
09/26/1994	FILED: NOTICE TO PREPARE TRANS ON APPEAL		
09/26/1994	FILED: NOTIFICATION OF FILING NTC OF APPELA		
09/23/1994	FILED: ABSTRACT OF JUDGMENT-PRISON COMMITMENT		
09/23/1994	PACKET SENT OUT TODAY (LRG)		
09/22/1994	FILED: NOTICE OF APPEAL/E015099		
09/21/1994	FILED: LIST OF EXHIBITS (VOP HEARING)		
09/21/1994	FILED: NOTICE OF EXONERATION		
09/21/1994 1:38 PM DEPT. 51	JAIL COMMITMENT (USE JCN)		
09/21/1994 11:00 AM DEPT. 51	PROBATION HEARING RE: TERM 12	DISPOSED	

Minutes

HONORABLE JUDGE J. THOMPSON HANKS PRESIDING.

CLERK: J. RUIZ

COURT REPORTER: P. GUNTHER

PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: M. DAVISON.

DEFENDANT REPRESENTED BY DPD-J. BUBELLO.

DEFENDANT PRESENT.

MOTION TO EXCLUDE ALL WITNESSES IS GRANTED.

PEOPLES WITNESSES:

WITNESS(ES) SWORN DR. NELSON EVANS.

DEFENDANT'S EXHIBIT A (PSYCHOLOGICAL EVALUATION) IS/ARE MARKED FOR IDENTIFICATION ONLY.

WITNESS(ES) SWORN PROBATION OFFICER ROSALIND SALLIE.

DEFENSE WITNESSES:

WITNESS(ES) SWORN BERNADETTE BRENNECKE; DEFENDANT MICHAEL DIVITA.

ARGUMENTS PRESENTED.

DEFENDANT FOUND IN VIOLATION OF PROBATION BY THE COURT AS TO TERMS: 12.

DEFENDANT WAIVES ARRAIGNMENT FOR PRONOUNCEMENT OF JUDGMENT.

PROBATION REMAINS REVOKED.

AS TO COUNT(S) 1, THE COURT IMPOSES THE MID TERM OF 3 YEAR 0 MONTHS.

PRINCIPAL COUNT DEEMED TO BE COUNT 1.

SENTENCED TO STATE PRISON FOR A TOTAL TERM OF 3 YEARS AND 0 MONTHS.

CREDIT FOR TIME SERVED OF 168 ACTUAL DAYS PLUS 84 DAYS PURSUANT TO 4019 PC FOR A TOTAL OF 252 DAYS.

RESTITUTION FINE PREVIOUSLY STAYED IS NOW IMPOSED.

DEPT OF CORRECTIONS DIRECTED TO W/HOLD MONIES FROM SALARY EARNED; APPLY TO RESTITUTION AND/OR RESTITUTION FINE. (INACTIVE USE TYD2)

DEFENDANT DOES HAVE THE FINANCIAL ABILITY TO PAY FOR SERVICES OF COUNSEL; COURT

IMPOSES \$150.00 PAYABLE THROUGH REVENUE/RECOVERY UNIT AS DIRECTED.
 SHERIFF TO DELIVER DEFENDANT TO CALIFORNIA DEPARTMENT OF CORRECTIONS AT CHINO
 COURT REPORTER: NONE
 FOR THE CHARGE(S) 2.
 SENTENCED TO RIVERSIDE COUNTY JAIL FOR THE TERM OF 180 DAYS.
 COUNT 2 TO RUN CONCURRENT.
 COUNT 2 MAY BE SERVED IN ANY PENAL INSTITUTION.
 CURRENT BAIL BOND EXONERATED.
 BAIL ON APPEAL SET AT \$250000.00.
 REMANDED TO CUSTODY OF RIVERSIDE SHERIFF.
 MINUTE ORDER OF COURT PROCEEDING

08/31/1994 8:30 AM DEPT. 51	VIOL. OF PROBATION (ARRAIGNMENT) (PROB)	DISPOSED	
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Minutes

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HONORABLE JUDGE J. THOMPSON HANKS PRESIDING.
 CLERK: T. BROSSOIT
 COURT REPORTER: P. GUNTHER
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: B. MARMOR.
 DEFENDANT REPRESENTED BY DPD-J. BUBELLO.
 DEFENDANT PRESENT.
 DEFENDANT ADVISED OF CONSTITUTIONAL RIGHTS.
 DEFENDANT DENIES VIOLATION OF PROBATION.
 PROBATION HEARING RE: TERM 12 IS SET FOR 09/21/94 AT 11:00 IN DEPT. 51.
 PROBATION OFFICER IS TO BE PRESENT ON ABOVE DATE.
 PROBATION OFFICER R. SALLIE
 DEFENDANT ORDERED TO RETURN.
 CURRENT BAIL BOND CONTINUED.
 MINUTE ORDER OF COURT PROCEEDING

08/24/1994	FILED: ALLEGATION OF VOP MEMORANDUM		
08/24/1994 8:30 AM DEPT. 51	VIOL. OF PROBATION (ARRAIGNMENT) (PROB)	DISPOSED	

Minutes

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HONORABLE JUDGE J. THOMPSON HANKS PRESIDING.
 CLERK: T. BROSSOIT
 COURT REPORTER: B. LANE
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: B. MARMOR.
 DEFENDANT REPRESENTED BY DPD-J. BUBELLO.
 DEFENDANT PRESENT.
 REQUEST FOR CONTINUANCE BY DEFENSE IS GRANTED. HEARING CONTINUED TO 08/31/94 AT 8:30 IN DEPT. 51. (CONT)
 PROBATION ORDERED REVOKED.
 BAIL SET IN AMOUNT OF \$25000.00.
 REMANDED TO CUSTODY OF RIVERSIDE SHERIFF.

****MINUTE ORDER OF COURT PROCEEDING****

08/08/1994 8:00 AM DEPT. 21	EX PARTE HEARING RE: FINE	DISPOSED	
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Minutes

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CLERK: T.CARRASCO
 PROBATION IS CONTINUED ON SAME TERMS AND CONDITIONS.
 AS TO COUNT(S) 1 2, COURT ORDERS \$30.00 SUSPENDED
 NO ADM FEE ORDERED \$30 DELETED FROM CASE
 RELEASED ON PROBATION

****MINUTE ORDER OF COURT PROCEEDING****

08/01/1994	REQUESTING THAT \$30 BE TAKEN OFF FINE BALANCE DG		
08/01/1994	CHKD FILE HARD COPY NO ADMIN FEE WAS ORDERED DG		
07/14/1994	DEFENDANT MADE PAYMENT OF \$100.00		

Minutes

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PCARA 940715-0003-CK CMA/ 24.62 CJC/ 6.15 001
 PCARA 940715-0003-CK CCF/ 7.38 FLF/ 0.31 001
 PCARA 940715-0003-CK AFF/ 1.54 EMF/ 6.15 001
 PCARA 940715-0003-CK SGF/ 30.77 ACF/ 23.08 001

07/07/1994 8:30 AM DEPT. 51	MOTION SET FOR TO WITHDRAW PLEA	DISPOSED	
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Minutes

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HONORABLE JUDGE J. THOMPSON HANKS PRESIDING.
 CLERK: T. BROSSOIT
 COURT REPORTER: T. SHEEHAN
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: B. MARMOR.
 DEFENDANT REPRESENTED BY DPD-G. MYERS.
 DEFENDANT PRESENT.
 AT DEFENDANTS REQUEST:
 MOTION WITHDRAWN.
 RELEASED ON PROBATION

****MINUTE ORDER OF COURT PROCEEDING****

05/27/1994 11:01 AM DEPT. 51	PROBATION HEARING RE: VOP	DISPOSED	
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Minutes

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HONORABLE PRO TEM J. THOMPSON HANKS PRESIDING.
 CLERK: J. BURROWS
 COURT REPORTER: B. LANE
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY DPD-M. ANDERSON.

DEFENDANT PRESENT.
 DEFENDANT ADVISED OF CONSTITUTIONAL RIGHTS.
 DEFENDANT WAIVES CONSTITUTIONAL RIGHTS.
 DEFENDANT ADMITS VIOLATION OF PROBATION, TERMS 6.
 PROBATION REMAINS REVOKED.
 DEFENDANT REQUESTS IMMEDIATE SENTENCE.
 DEFENDANT WAIVES ARRAIGNMENT FOR PRONOUNCEMENT OF JUDGMENT.
 FOR ALL CHARGES:
 PROBATION REINSTATED AND MODIFIED.
 BE COMMITTED TO CUSTODY OF RSO FOR 365 DAYS AS AN ADDITIONAL TERM OF PROBATION. (USE TAG)
 COMMITMENT TO BE SERVED ON CONSECUTIVE WEEKENDS FROM FRIDAYS 4 PM TO SUNDAYS 7PM COMMENCING FRIDAY OR AS AUTHORIZED BY RSO WEEKEND PROGRAM.
 PROBATION IS EXTENDED TO EXPIRE ON 03/11/97.
 ADDED TERM: NOT POSSESS ANY SEXUALLY EXPLICIT MATERIAL.
 DEFENDANT ACCEPTS TERMS AND CONDITIONS OF PROBATION.
 CREDIT FOR TIME SERVED OF 150 ACTUAL DAYS PLUS 70 DAYS PURSUANT TO 4019 PC FOR A TOTAL OF 210 DAYS.
 DEFENDANT MAY SEEK TO TERMINATE PROBATION UPON PAYING RESTITUTION IN FULL.
 CURRENT BAIL BOND EXONERATED.
 RELEASED ON PROBATION
 MINUTE ORDER OF COURT PROCEEDING

05/27/1994 11:00 AM DEPT. 51	PROBATION HEARING RE: RESTITUTION	DISPOSED	
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Minutes

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HONORABLE PRO TEM J. THOMPSON HANKS PRESIDING.
 CLERK: J. BURROWS
 COURT REPORTER: B. LANE
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY DPD-M. ANDERSON.
 DEFENDANT PRESENT.
 PROBATION REMAINS REVOKED.
 MOTION GRANTED.
 RESTITUTION SET IN THE AMOUNT OF \$8721.50.
 RESTITUTION MAY INCREASE AS VICTIMS COUNSELING CONTINUES.
 CURRENT BAIL BOND CONTINUED.
 MINUTE ORDER OF COURT PROCEEDING

05/27/1994	FILED: NOTICE OF EXONERATION		
05/27/1994	FILED: WAIVER OF RIGHTS		
05/27/1994	FILED: PROBATION OFFICERS VOP MEMORANDUM		
05/23/1994	PROBATION HEARING RE: VOP	DISPOSED	

11:01 AM DEPT.
51

Minutes

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HONORABLE PRO TEM J. THOMPSON HANKS PRESIDING.
 CLERK: J. BURROWS
 COURT REPORTER: A. HERLIHY
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY DPD-M. ANDERSON.
 DEFENDANT PRESENT.
 REQUEST FOR CONTINUANCE BY DEFENSE IS GRANTED. HEARING CONTINUED TO 05/27/94 AT 11:01 IN DEPT. 51. (CONT)
 PROBATION REMAINS REVOKED.
 DEFENDANT ORDERED TO RETURN.
 CURRENT BAIL BOND CONTINUED.
 MINUTE ORDER OF COURT PROCEEDING

05/23/1994
11:00 AM DEPT.
51

PROBATION HEARING RE: RESTITUTION

DISPOSED

Minutes

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HONORABLE PRO TEM J. THOMPSON HANKS PRESIDING.
 CLERK: J. BURROWS
 COURT REPORTER: A. HERLIHY
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY DPD-M. ANDERSON.
 DEFENDANT PRESENT.
 REQUEST FOR CONTINUANCE BY DEFENSE IS GRANTED. HEARING CONTINUED TO 05/27/94 AT 11:00 IN DEPT. 51. (CONT)
 PROBATION REMAINS REVOKED.
 DEFENDANT ORDERED TO RETURN.
 CURRENT BAIL BOND CONTINUED.
 MINUTE ORDER OF COURT PROCEEDING

05/18/1994
11:00 AM DEPT.
51

PROBATION HEARING RE: VOP

DISPOSED

Minutes

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HONORABLE PRO TEM J. THOMPSON HANKS PRESIDING.
 CLERK: J. BURROWS
 COURT REPORTER: B. LANE
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY DPD-M. ANDERSON/G. MYERS.
 DEFENDANT PRESENT.
 SUBPENA DOCUMENTS FROM PROBATION RELEASED TO THE PEOPLE AND THE DEFENSE.

REQUEST FOR CONTINUANCE BY DEFENSE IS GRANTED. HEARING CONTINUED TO 05/23/94 AT 11:01
 IN DEPT. 51. (CONT)
 PROBATION REMAINS REVOKED.
 ALLEGATION OF VIOLATION OF PROBATION FOR TERM 06 09 14.
 DEFENDANT ORDERED TO RETURN.
 CURRENT BAIL BOND CONTINUED.
 MINUTE ORDER OF COURT PROCEEDING

05/17/1994	SUBPOENAED DOCUMENTS RECEIVED RIVERSIDE COUNTY PROBATION DEPT.		
05/10/1994	FILED: LETTER FROM DEFENDANT/NO ACTION		
05/03/1994 8:30 AM DEPT. 51	VIOL. OF PROBATION (ARRAIGNMENT) (PROB)	DISPOSED	

Minutes
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HONORABLE PRO TEM J. THOMPSON HANKS PRESIDING.
 CLERK: A.HATTON
 COURT REPORTER: B. LANE
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: B.MARMOR.
 DEFENDANT REPRESENTED BY DPD-M. FEIGER.
 DEFENDANT PRESENT.
 DEFENDANT ADVISED OF CONSTITUTIONAL RIGHTS.
 DEFENDANT DENIES VIOLATION OF PROBATION.
 PROBATION ORDERED REVOKED.
 PROBATION HEARING RE: VOP IS SET FOR 05/18/94 AT 11:00 IN DEPT. 51.
 PROBATION OFFICER IS TO BE PRESENT ON ABOVE DATE.
 PROB OFFICERS:GEIGER & SALLIE
 BAIL SET IN AMOUNT OF \$10000.00.
 REMAINS REMANDED TO CUSTODY OF RIVERSIDE SHERIFF.
 MINUTE ORDER OF COURT PROCEEDING

05/02/1994	FILED: RECVD: PROB OFFICERS ALLEG OF VIOL OF PROB MEMO		
04/27/1994	FILED: PROBATION MEMORANDUM		
04/27/1994 8:30 AM DEPT. 51	VIOL. OF PROBATION (ARRAIGNMENT) (PROB)	DISPOSED	

Minutes
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HONORABLE PRO TEM J. THOMPSON HANKS PRESIDING.
 CLERK: A. HATTON
 COURT REPORTER: B. LANE
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: B. SUSSMAN.
 DEFENDANT REPRESENTED BY DPD-M. FEIGER.
 DEFENDANT PRESENT.
 FOR ALL CHARGES:
 PROBATION CONTINUED SAME TERMS AND CONDITIONS AND MODIFIED AS FOLLOWS:
 PAY RESTITUTION IN AN AMOUNT AS DETERMINED AND AS DIRECTED BY THE PROBATION OFFICER;

ANY DISPUTE AS TO AMOUNT TO BE RESOLVED IN A HEARING.
 DEFENDANT OBJECTS TO THE ADDING OF THIS TERM.
 PROBATION HEARING RE: RESTITUTION IS SET FOR 05/23/94 AT 11:00 IN DEPT. 51.
 PROBATION OFFICER IS TO BE PRESENT ON ABOVE DATE.
 PROBATION OFFICER SALLIE.
 DEFENDANT ORDERED TO RETURN.
 RELEASED ON PROBATION
 MINUTE ORDER OF COURT PROCEEDING

04/18/1994	FILED: REC/MODIFICATION OF PROBATION MEMO		
06/18/1993	FILED: LETTER FROM DEFT		
06/18/1993 8:30 AM DEPT. 51	MOTION FOR MODIFICATION OF SENTENCE	DISPOSED	

Minutes

HONORABLE J. THOMPSON HANKS PRESIDING.
 CLERK: J. BURROWS
 COURT REPORTER: B LANE
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: M. DAVISON.
 DEFENDANT REPRESENTED BY DPD-J. KING.
 DEFENDANT PRESENT.
 MOTION DENIED.
 REMAINS REMANDED TO CUSTODY OF RIVERSIDE SHERIFF.

03/24/1993	FILED: REPORT/INDETERMINATE SENTENCE		
03/23/1993	MISCELLANEOUS PAYMENT OF \$6.00 RECEIVED.		

Minutes

CSTOC 930324-0017-CS FPC/ 6.00 000

03/11/1993	FILED: PROBATION OFFICERS SENTENCING REPORT		
03/11/1993 8:30 AM DEPT. 53	REPORT AND SENTENCING	DISPOSED	REPORT AND SENTENCING

Minutes

HONORABLE JAMES T. WARREN PRESIDING.
 CLERK: C. GONZALES
 COURT REPORTER: V. MEJIA
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: M. DAVISON.
 DEFENDANT REPRESENTED BY DPD-F. SCOTT.
 DEFENDANT PRESENT.
 COURT HAS READ AND CONSIDERED THE PROBATION OFFICER'S REPORT.
 DEFENDANT WAIVES ARRAIGNMENT FOR PRONOUNCEMENT OF JUDGMENT.
 ANTHONY DEMARURO; DR. LINDELL WORTMAN & GERALDINE
 JONES ADDRESS COURT ON BEHALF OF DEFT.
 VICTIM MANDI ADDRESSES COURT. LISA MEZA ADDRESSES
 COURT ON BEHALF OF VICTIM.

DEFT. ADDRESSES COURT PROCEEDINGS ARE SUSPENDED. (SENT)

FOR THE CHARGE(S) 1 2.

FORMAL PROBATION IS GRANTED FOR A PERIOD OF 36 MONTHS UNDER THE FOLLOWING TERMS AND CONDITIONS:

VIOLATE NO LAW OR ORDINANCE;

BE COMMITTED TO CUSTODY OF RSO FOR MODERATE PERIOD OF TIME, 210 DAYS;

DEFENDANT NOT ELIGIBLE FOR EARLY RELEASE PURSUANT TO 4024.2 OF THE PENAL CODE.

PAY TOTAL OF \$100.00, INCLUDES FINE OF \$100.00 AND PA OF \$0.00, PURS. TO 290.3 PC, THRU & IN A MANNER TO BE DETERM'D BY FINANC. SVCS, BY 00/00/00

SUBMIT TO IMMED SEARCH OF PERSON,AUTO,HOME,PREMISES,GARAGE,STORAGE AREAS & PERSONAL/LEASED PROPERTY WITH OR W/O CAUSE BY PO OR LAW ENFORCEMENT OFFICER

PURS 290.2 PC (DNA TESTING), SUBMT 2 SPEC BLD & 1 SPEC SALIVA AUTH MED PERSNL RSO PRIOR TO RLS CUST,FORW TO DOJ ANALYS;RSO NOTIF PO DEFTS COMP/NON COM

DO NOT ASSOCIATE WITH ANY FEMALE MINOR UNLESS ACCOMPANIED BY A RESPONSIBLE ADULT APPROVED BY THE PROBATION OFFICER.

NOT FREQUENT PLACES WHERE MINOR(S) CONGREGATE, SUCH AS LOCATIONS ESPECIALLY DESIGNATED FOR USE BY MINORS;

ADDED TERM: NOT HAVE ANY CONTACE W/VICTIMS LISA MESA & MANDI M

SUBMIT IMMED. SEARCH OF PERSON, BUSINESS, HOME, AUTO, STORAGE, PERS. PROPERTY FOR DETECTN OF SEXUAL LY EXPLICIT MATERIAL AND/OR PRESENCE OF MINOR(S)

SEEK/MAINTAIN GAINFUL EMPLOYMENT AND/OR ATTEND A FULL-TIME SCHOOL OR VOCATIONAL PROGRAM;

RESIDE AT A RESIDENCE APPROVED BY THE PROBATION OFFICER AND NOT MOVE WITHOUT PRIOR CONSENT OF THE PROBATION OFFICER.

PARTICIPATE & COMPLETE AT YOUR EXPENSE COUNSELING REHAB OR TREATMT PROGRAM DEEMED APPROPRIATE BY PO AND AUTHORIZE RELEASE OF INFO.RELATIVE TO PROGRESS;

REGISTER IMMEDIATELY (ON RELEASE FROM CUSTODY) WITH LOCAL LAW ENFORCEMENT AGENCY AS TO PLACE OF RESIDENCE PURSUANT TO 290 PC;

REPORT TO PROBATION OFFICER IMMEDIATELY OR ON RELEASE FROM CUSTODY FOR INITIAL INSTRUCTIONS AND ABIDE BY ALL REASONABLE DIRECTIVES OF OFFICER;

ON CT 2:

BE COMMITTED TO THE CUSTODY OF RSO FOR MINIMUM PERIOD OF TIME, 3 DAYS;

DEFENDANT ACCEPTS TERMS AND CONDITIONS OF PROBATION.

CREDIT FOR TIME SERVED OF 3 ACTUAL DAYS PLUS 0 DAYS PURSUANT TO 4019 PC FOR A TOTAL OF 3 DAYS.

DEFENDANT DOES HAVE THE FINANCIAL ABILITY TO PAY FOR SERVICES OF COUNSEL; COURT IMPOSES \$750.00 PAYABLE THROUGH REVENUE/RECOVERY UNIT AS DIRECTED.

REFERRED TO PROBATION DEPARTMENT FOR CTS (RETURNABLE 4-1-93) REPORT.

REMANDED TO CUSTODY OF RIVERSIDE SHERIFF.

03/02/1993 8:30 AM DEPT. 53

REPORT AND SENTENCING

DISPOSED

REPORT AND SENTENCING

Minutes

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HONORABLE J. THOMPSON HANKS PRESIDING.

CLERK: J. BURROWS

COURT REPORTER: S. LAYTON

PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: M. DAVISON.

DEFENDANT REPRESENTED BY DPD-F.SCOTT.
 DEFENDANT PRESENT.
 REPORT AND SENTENCE HEARING SET ON 03/11/93 AT 8:30 IN DEPT. 53.
 DEFENDANT ORDERED TO RETURN.
 DEFENDANT WAIVES TIME.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.

02/10/1993 8:30 AM DEPT. 53	EX PARTE HEARING RE: PAYMENT OF INVESTIGATOR	DISPOSED	
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Minutes

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HONORABLE JAMES T. WARREN PRESIDING.
 CLERK: S. DE HARO
 DEFENDANT IS NOT PRESENT.
 COUNSEL FOR DEFT NOT PRESENT.
 COURT HAVING REVIEWED THE FILE AND DECLARATION OF EXPENSES; COURT DENIES PAYMENT OF FEES.
 MOTION DENIED.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.
 COPY OF THIS ORDERED MAILED TO:
 HENRY P. RUPP III ESQ.
 13800 HEACOCK ST STE. C-242204
 MORENO VALLEY CA 92553

01/19/1993	FILED: REQUEST/MTN FOR PROSECUTION DICOVERY		
01/19/1993	INFORMATION FILED. (REFER TO INF)		
01/19/1993 8:30 AM DEPT. 53	ARRAIGNMENT	DISPOSED	ARRAIGNMENT

Minutes

[Print Minute Order](#)

HONORABLE JAMES T. WARREN PRESIDING.
 CLERK: R. CASTRO
 COURT REPORTER: V. MEJIA
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: M. DAVISON.
 DEFENDANT REPRESENTED BY DPD-F.SCOTT.
 DEFENDANT PRESENT.
 DEFENDANT ARRAIGNED
 DEFENDANT WAIVES FORMAL ARRAIGNMENT.
 DEFENDANT ADVISED OF CONSTITUTIONAL RIGHTS.
 DEFENDANT WAIVES CONSTITUTIONAL RIGHTS.
 PLEADS GUILTY TO COUNT(S) 1 2
 COURT ACCEPTS PLEA/ADMISSION TO PROBATION VIOLATION.
 SPECIFICATION OF PLEA: PS;PROB;210 DAYS CUSTODY;LENGTH OF PROB NOT STIP
 REF TO PROBATION FOR ADDITIONAL TERMS;ADMIT VOP IN
 256458 TO RUN CC;225727 TO BE DISMISSED;287123 &
 SMALL CLAIMS CASES 89171 & 89869 WILL BE CONCUR
 TO CR43908

REPORT AND SENTENCE HEARING SET ON 03/02/93 AT 8:30 IN DEPT. 53.
 DEFENDANT WAIVES TIME.
 DEFENDANT ORDERED TO RETURN.
 REFERRED TO PROBATION DEPARTMENT FOR PRE-SENTENCE REPORT.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.

12/24/1992 8:30
 AM DEPT. 53

ARRAIGNMENT

DISPOSED

ARRAIGNMENT

Minutes

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HONORABLE JAMES T. WARREN PRESIDING.
 CLERK: R.CASTRO
 COURT REPORTER: V. MEJIA
 DEFENDANT REPRESENTED BY C.THIERBACH.
 DEFENDANT REPRESENTED BY DPD-F.SCOTT.
 DEFENDANT PRESENT.
 HEARING IS CONTINUED TO 01/19/93 AT 8:30 IN DEPT. 53.
 DEFENDANT WAIVES TIME FOR ARRAIGNMENT/TRIAL PLUS 60 DAYS.
 COUNSEL WAIVE STATUTORY TIME TO FILE THE INFORMATION TO 01/19/93.
 DEFENDANT ORDERED TO RETURN.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.

12/18/1992 8:30
 AM DEPT. 53

ARRAIGNMENT

DISPOSED

ARRAIGNMENT

Minutes

[Print Minute Order](#)

HONORABLE JAMES T. WARREN PRESIDING.
 CLERK: R.CASTRO
 COURT REPORTER: V.MEJIA
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: B.SUSSMAN.
 DEFENDANT REPRESENTED BY PVT-F.SCOTT.
 DEFENDANT PRESENT.
 HEARING IS CONTINUED TO 12/24/92 AT 8:30 IN DEPT. 53.
 DEFENDANT WAIVES TIME FOR ARRAIGNMENT/TRIAL PLUS 60 DAYS.
 COUNSEL WAIVE STATUTORY TIME TO FILE THE INFORMATION TO 12/24/92.
 DEFENDANT ORDERED TO RETURN.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.

12/11/1992 8:30
 AM DEPT. 53

ARRAIGNMENT

DISPOSED

ARRAIGNMENT

Minutes

[Print Minute Order](#)

HONORABLE JANICE M. MCINTYRE PRESIDING.
 CLERK: R.CASTRO
 COURT REPORTER: M.THIBODEAUX
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J.ROY.
 DEFENDANT REPRESENTED BY PVT-F.SCOTT.

DEFENDANT PRESENT.
 PUBLIC DEFENDER IS RELIEVED.
 HEARING IS CONTINUED TO 12/18/92 AT 8:30 IN DEPT. 53.
 DEFENDANT WAIVES TIME FOR ARRAIGNMENT/TRIAL PLUS 60 DAYS.
 COUNSEL WAIVE STATUTORY TIME TO FILE THE INFORMATION TO 12/18/92.
 DEFENDANT ORDERED TO RETURN.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.
 COURT ORDERS 2 MORENO VALLEY CASES ON CAL W/FEL
 CHARGES IN RE:SC89171 & SC90869 OF 166.4 PC.
 DEFT ORDERED RELEASED ON "OR" ON MV CASES & RETURN

11/20/1992 8:00 AM DEPT. 53	ARRAIGNMENT	DISPOSED	ARRAIGNMENT
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Minutes

[Print Minute Order](#)

HONORABLE JAMES T. WARREN PRESIDING.
 CLERK: R.CASTRO
 COURT REPORTER: V.MEJIA
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: B.SUSSMAN.
 DEFENDANT REPRESENTED BY PVT-H.RUPP.
 PVT COUNSEL H. RUPP RELIEVED
 DEFENDANT REPRESENTED BY DPD-R.HABEREDER.
 DEFENDANT PRESENT.
 HEARING IS CONTINUED TO 12/11/92 AT 8:30 IN DEPT. 53.
 DEFT ORDERED TO COMPLETE FINANCIAL STMT & SUBMIT
 AT NEXT HEARING
 DEFENDANT WAIVES TIME FOR ARRAIGNMENT/TRIAL PLUS 60 DAYS.
 COUNSEL WAIVE STATUTORY TIME TO FILE THE INFORMATION TO 12/11/92.
 DEFENDANT ORDERED TO RETURN.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.

10/23/1992 8:30 AM DEPT. 41	REPORT AND SENTENCING	DISPOSED	REPORT AND SENTENCING
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Minutes

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HONORABLE ROBERT G. SPITZER PRESIDING.
 CLERK: E. ANDERSON
 COURT REPORTER: T. ONEILL
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY PVT H. RUPP.
 DEFENDANT PRESENT.
 PLEA BARGAIN REJECTED BY JUDGE TURNER ON 9-4-92
 DEFENDANT WITHDRAWS PLEA OF GUILTY AS TO COUNT(S) 1.
 DEFT REPRESENTED BY COUNSEL WAIVES HIS RIGHTS TO EXAMINATION, COURT ORDERS HE BE
 HELD TO ANSWER. ARRAIGNMENT SET 11/20/92 AT 8:00 IN DEPT 53(DECI)
 DEFENDANT WAIVES TIME.
 DEFENDANT ORDERED TO RETURN.
 OWN RECOGNIZANCE (O.R.) RELEASE CONTINUED.

10/02/1992	FILED: AGREEMENT TO APPEAR		
10/02/1992	FILED: MEMO OF THE PROBATION OFFICER/REQUEST FOR CONT		
10/02/1992	FILED: ORDER FOR THE RETURN OF PROPERTY		
10/02/1992 8:00 AM DEPT. 41	MOTION TO CONTINUE	DISPOSED	

Minutes
[Print Minute Order](#)

HONORABLE RONALD R. HEUMANN PRESIDING.
 CLERK: N. NELSON
 COURT REPORTER: D. SKIPPER
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY H. RUPP.
 DEFENDANT PRESENT.
 MOTION GRANTED.
 CURRENT BAIL BOND CONTINUED.

10/02/1992 8:00 AM DEPT. 41	REPORT AND SENTENCING	DISPOSED	REPORT AND SENTENCING
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Minutes
[Print Minute Order](#)

HONORABLE RONALD R. HEUMANN PRESIDING.
 CLERK: N. NELSON
 COURT REPORTER: D. SKIPPER
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY H. RUPP.
 DEFENDANT PRESENT.
 HEARING IS CONTINUED TO 10/23/92 AT 8:30 IN DEPT. 41.
 DEFENDANT WAIVES TIME.
 DEFENDANT ORDERED TO RETURN.
 CURRENT BAIL BOND EXONERATED.
 RELEASED ON O.R.
 CRT SIGNED ORDER FOR THE RESTORAL AND RETURN OF PROPERTY IN OPEN COURT

09/04/1992 8:30 AM DEPT. 35	MOTION TO CONTINUE	DISPOSED	
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Minutes
[Print Minute Order](#)

HONORABLE NORMAN M. TURNER PRESIDING.
 CLERK: G.DIAZ
 COURT REPORTER: M.THIBODEAUX
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY H. RUPP.
 DEFENDANT PRESENT.
 HEARING IS CONTINUED TO 10/02/92 AT 8:00 IN DEPT. 41.

DEFENDANT WAIVES TIME.
 DEFENDANT ORDERED TO RETURN.
 CURRENT BAIL BOND CONTINUED.

09/04/1992 8:00 AM DEPT. 35	REPORT AND SENTENCING	DISPOSED	REPORT AND SENTENCING
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Minutes

[Print Minute Order](#)

HONORABLE NORMAN M TURNER PRESIDING.
 CLERK: G.DIAZ
 COURT REPORTER: M.THIBODEAUX
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY H. RUPP.
 DEFENDANT PRESENT.
 HEARING IS CONTINUED TO 10/02/92 AT 8:00 IN DEPT. 41.
 DEFENDANT ORDERED TO RETURN.
 DEFENDANT WAIVES TIME.
 CURRENT BAIL BOND CONTINUED.

08/26/1992	FILED: MTN FOR RETURN OF NON-CONTRABAND PROP OF DEFT		
08/17/1992	FILED: MTN TO CONTINUE		
07/17/1992	FILED: DEFTS FINANCIAL STATEMENT & NTC TO DEFT.		
07/17/1992	COMPLAINT FILED. (IMAGED)		
07/17/1992	FILED: BAIL BOND (RANGER/JOHN GARCIA)		
07/17/1992 8:00 AM DEPT. 35	ARRAIGNMENT	DISPOSED	ARRAIGNMENT

Minutes

[Print Minute Order](#)

HONORABLE NORMAN M. TURNER PRESIDING.
 CLERK: E. MERCER
 COURT REPORTER: M. THIBODEAUX
 PEOPLE REPRESENTED BY DEPUTY DISTRICT ATTORNEY: J. ROY.
 DEFENDANT REPRESENTED BY PVT-H. RUPP.
 DEFENDANT PRESENT.
 PRIVATE COUNSEL H. RUPP, APPOINTED.
 DEFENDANT ARRAIGNED
 DEFENDANT WAIVES FORMAL ARRAIGNMENT.
 DEFENDANT ADVISED OF CONSTITUTIONAL RIGHTS.
 DEFENDANT WAIVES CONSTITUTIONAL RIGHTS.
 DEFT ADVISED OF MAX/MIN. PENALTY PRIOR TO ENTRY OF PLEA.
 DEFENDANT WITHDRAWS PLEA OF NOT GUILTY AS TO COUNT(S) 1 AND IS REARRAIGNED.
 PLEADS GUILTY TO COUNT(S) 1
 COURT ACCEPTS PLEA/ADMISSION TO PROBATION VIOLATION.
 SPECIFICATION OF PLEA: PRCDINGS SUSPND-3YRS PROB.;NO NEW FILINGS;PROPERTY TAKEN RE: SEARCH WARRANT 2B RETRND;CUST. COULD BE

UP TO 270DYS.;OTHER CNTS 2B DISMD.;RMC CASE
 225727 2B DISMD.
 BY STIP: PLEA ENTERED PURSUANT TO PEOPLE VS WEST
 NO FACTUAL BASIS NEEDED.
 REPORT AND SENTENCE HEARING SET ON 09/04/92 AT 8:00 IN DEPT. 35(D/41).
 DEFENDANT WAIVES TIME.
 REFERRED TO PROBATION DEPARTMENT FOR PRE-SENTENCE REPORT.
 CURRENT BAIL BOND CONTINUED.

Case CR43908 - DIVITA, MICHAEL JOHN - Fine Information

Date To Pay: **07/14/1994** *First Payment:* **07/14/1994**
Prior NSF: *Payment Amount:* **\$0.00** *Last Payment:* **07/14/1994**

<i>Fine Number</i>	<i>Fine Type</i>	<i>Fine Description</i>	<i>Original Amount</i>	<i>Paid To Date</i>	<i>Current Due</i>
1	GEN	General Fine Distributions	\$100.00	\$100.00	\$0.00
3	FLC	FEE-LEGAL COUNSEL	\$750.00	\$0.00	\$0.00
Total:			\$850.00	\$100.00	\$0.00

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