

☒ Central Division ☐ East County Division ☐ North County Division ☐ South County Division Waivers: ☐ Time ☐ 4th

PEOPLE vs. BURKE THOMAS F STATUS: CUST \$ 10 million ☐ BB ☐ CB (Y/N)
CASE # CD267616 PROS. # AEB01301 DOB: 080583 BKG # 16139552 CTS: _____ days _____ hrs.
DATE: 07-22-16 AT 08:30 DEPT. # FA INTERP: _____ ☐ Spanish ☐ Sworn ☐ Oath on File
JUDGE/COMM/TEMP JUDGE: FREDERICK MAGUIRE ☐ STIP. FILED REPORTER: _____
CLERK: C. Flores CSR # / COUNTER #: _____

CHARGE(S): *PC187(A)
FUTURE DATES: PE 08-11-16 830 011 ☐ CONFIRMED ☒ VACATED
D. Kellogg T. WARWICK R 14-1-50

Attorney for the People (DDA/DCA/DAG) ☐ Supervised Cert. Legal Intern Attorney for Defendant (PD/APD/OAC/Retained/Counseling) ☐ Supervised Cert. Legal Intern
DEFENDANT: ☒ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR
Case called for: ☐ ETA ☒ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion
☒ DEJ ☐ Full ☐ Limited Protective Order Expires: _____ Protected Party: _____
☐ Warrant Ordered/Issued on _____ ☐ Held to today ☐ Cleared ☐ Outstanding. ☐ Bail Bond # _____ \$ _____ forfeited.

CASE TRANSFERRED TO DEPT. _____ TIME ESTIMATE: _____
Complaint amended ☐ by interlineation to read:
☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)
☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other: _____
☐ Defendant advised of and waives the right to a **separate and conflict-free attorney / interpreter** for this court appearance.
☐ Defendant duly arraigned and advised of the **constitutional and statutory rights** as indicated on the reverse side of this minute order*.
☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.
☐ Defendant waives reading of complaint. ☐ Deft. states **true name** is _____ ☐ on complaint [_____] line)
☒ **DEFENDANT PLEADS NOT GUILTY** and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.
DEFENDANT WAIVES: ☐ time for speedy trial ☒ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel
Atty: _____ ☐ Re-appointed ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.
☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Deft. is sworn and examined. ☐ Defendant withdraws any previously entered plea.
DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: _____ ☐ VC23152(a) / (b)
☐ Admits _____ separate conviction(s) alleged/ _____ allegation(s)
☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of _____
☐ On motion of Court/People/Defendant remaining count(s) _____ is/are **DISMISSED**. Allegation(s)/Prior(s) remaining is/are **STRICKEN** ☐ FOJ ☐ VOP
☐ Plea form executed and filed ☐ People vs. West ☐ BAC: _____
☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.
☐ **ADVISALS** given by the court: ☐ Theft - PC666 ☐ DUI - VC23593 ☐ Consequences of Conviction - PC1016.5
☐ **WAIVERS:** ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.
☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.
☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.
☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for _____ by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.
PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) _____, for _____ mo./ yrs. ☐ New term
☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by _____ Comply with all directions of Assessor.
☐ \$ _____ DEJ Admin Fees (PC1001.16(a) and PC1001.90) ☐ Forthwith ☐ By _____
☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) _____ set aside and charges dismissed.
☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.
☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ forthwith ☐ by _____ to ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.
☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.
☐ Pre-sentence report waived. ☐ Court Collections ☐ for payment of attorney fees ** \$ _____ ☐ Indigent as to attorney fees.
** The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/cont. on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, _____ ☐ Statutory time is **WAIVED**
DEFENDANT IS ORDERED TO APPEAR for ☐ _____ on _____ at _____ in Dept. _____
☐ Re: Attorney _____ at _____ in Dept. _____ ☐ Motion/PC1538.5 _____ at _____ in Dept. _____
☐ Arraignment _____ at _____ in Dept. _____ ☐ Jury / Court Trial _____ at _____ in Dept. _____
☐ Bail Review _____ at _____ in Dept. _____ ☐ Sentencing _____ at _____ in Dept. _____
☐ Readiness/DWT _____ at _____ in Dept. _____ ☐ Prob. Hrg. & Sent _____ at _____ in Dept. _____
☒ Prelim Exam 8/19/16 at 8:30 in Dept. 11 ☐ DEJ ☐ Drug Ct _____ at _____ in Dept. _____
Time Estimate: _____ hr/day Days remaining: _____ Set with case(s): _____

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on _____ at _____ by Forensic
Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on _____ at _____ in Dept. _____ of the
Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.
☐ Book & Release - Report on _____ at _____ to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

Unreported side bar held. Agrees CF
Defendant admonished not to practice pharmaceutical work.

CUSTODY STATUS Defendant ☒ REMAIND to custody of Sheriff ☐ without bail ☒ with bail set at / increased to / reduced to \$ 4 million
☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR ☐ Refer to CPAC.
☐ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions
☐ same terms and conditions ☐ to an authorized representative of: _____ on _____ at _____
☐ Release Conditions: ☐ Attend _____ self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.
☐ Not use or possess any weapons without a valid prescription. ☐ Not possess narcotic paraphernalia.
☐ Deft. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a
warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of
deferred entry of judgment. ☐ Have no contact with / stay away from: _____ ☐ Protective Order issued.
☐ Previously ordered: ☒ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ _____ ☐ No Bail. ☐ Counsel reports no contact with defendant.
☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ ISSUED ON: _____
☐ HOLD issuance to DATE ABOVE. ☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: _____
☐ Affidavit requested. Due by: _____

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.
☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ _____ within 30 days ☐ cost waived
☐ Bond #: _____ Bond \$ _____ Bond Co. _____

Date: _____ ATT: ST A TRUE COPY, Clerk of the Superior Court by _____ Deputy
Distribution by: CWF on 7/22/16 to: Jail Deft Atty Pros Prob R&R Interpreter Acct Assessment Other: _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☒ Central Division ☐ East County Division ☐ North County Division ☐ South County Division Waivers: ☐ Time ☐ 4th
 PEOPLE vs. BURKE, Thomas E STATUS: Cust \$ No Bail ☐ BB ☐ CB (Y/N)
 CASE # CD0201616 PROS. # AE60130 DOB: 8-5-83 BKG # 116139552 CTS: _____ days _____ hrs.
 DATE: 6-30-16 AT 1:30 DEPT. # 12 INTERP: _____ ☐ Spanish ☐ Sworn ☐ Oath on File
 JUDGE/COMM/TEMP JUDGE: F. Maguire ☐ STIP. FILED REPORTER: D. Gonzalez 4155
 CLERK: H. Phina CSR # / COUNTER #: _____

CHARGE(S): PC187(A)

FUTURE DATES: K. Sully & D. Kellogg ☐ CONFIRMED ☐ VACATED
 Attorney for the People (PDA/DCA/DAG) ☐ Supervised Cert. Legal Intern Attorney for Defendant (PD/APD/OAC/Retained/Counseling) ☐ Supervised Cert. Legal Intern
 DEFENDANT: ☐ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Case called for ☐ FTA ☐ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion
☐ DEJ ☐ Full ☐ Limited Protective Order Expires: _____ Protected Party: _____
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CASE TRANSFERRED TO DEPT. _____ TIME ESTIMATE: _____
 Complaint amended ☐ by interlineation to read:
☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)
☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other: _____
☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.
☒ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order*.
☒ Acknowledgment of advisal of constitutional rights signed and filed ☐ Defendant has received copy of complaint.
☒ Defendant waives reading of complaint. ☒ Def. states true name is _____ ☒ on complaint [____] line)
☒ DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.
☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel
 Atty: _____ ☐ Re-appointed ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.
☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Def. is sworn and examined. ☐ Defendant withdraws any previously entered plea.
 DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: _____ ☐ VC23152(a) / (b)
☐ Admits _____ separate conviction(s) alleged/ _____ allegation(s)
☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of _____
☐ On motion of Court/People/Defendant remaining count(s) _____ is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP
☐ Plea form executed and filed ☐ People vs. West ☐ BAC: _____
☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.
☐ ADVISALS given by the court: ☐ Theft - PC666 ☐ DUI - VC23593 ☐ Consequences of Conviction - PC1016.5
☐ WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.
☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.
☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.
☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for _____ by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.

PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) _____, for _____ mo./ yrs. ☐ New term
☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by _____ Comply with all directions of Assessor.
☐ \$ _____ DEJ Admin Fees (PC1001.16(a) and PC1001.90) ☐ Forthwith ☐ By _____
☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) _____ set aside and charges dismissed.
☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.
☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ forthwith ☐ by _____ to ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.
☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.
☐ Pre-sentence report waived. ☐ Court Collections ☐ for payment of attorney fees ** \$ _____ ☐ Indigent as to attorney fees.
 ** The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/cont. on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation. Re: Bail from practice
 DEFENDANT IS ORDERED TO APPEAR for Status/Endorsement on 7-22-16 at 830 in Dept. 12
☐ Re: Attorney _____ at _____ in Dept. _____ ☐ Motion/PC1538.5 _____ at _____ in Dept. _____
☐ Arraignment _____ at _____ in Dept. _____ ☐ Jury / Court Trial _____ at _____ in Dept. _____
☐ Bail Review _____ at _____ in Dept. _____ ☐ Sentencing _____ at _____ in Dept. _____
☐ Readiness/DWT _____ at _____ in Dept. _____ ☐ Prob. Hrg. & Sent _____ at _____ in Dept. _____
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MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on _____ at _____ by Forensic
 Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on _____ at _____ in Dept. _____ of the
 Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.
☐ Book & Release - Report on _____ at _____ to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.
PC977 Waiver executed
Defendant to refrain from practicing pharmacist pending evidentiary
hearing set for 7-22-16 @ 8:30 D-12

CUSTODY STATUS Defendant ☒ REMAIND to custody of Sheriff ☐ without bail ☒ with bail set at / increased to / reduced to \$ 10 million
☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR ☐ Refer to CPAC.
☐ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions
☐ same terms and conditions ☐ to an authorized representative of: _____ on _____ at _____
☐ Release Conditions: ☐ Attend _____ self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.
☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.
☐ Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a
 warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of
 deferred entry of judgment. ☐ Have no contact with / stay away from: _____ ☐ Protective Order issued.
☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ _____ ☐ No Bail. ☐ Counsel reports no contact with defendant.
☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ ISSUED ON: _____
☐ HOLD issuance to DATE ABOVE. ☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: _____
☐ Affidavit requested. Due by: _____

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.
☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ _____ within 30 days ☐ cost waived
☐ Bond #: _____ Bond \$ _____ Bond Co. _____

Date: _____ ATTEST A TRUE COPY, Clerk of the Superior Court by _____ Deputy

Distribution by: HP on 63016 to: Sail Def Atty Pros Prob R&R Interpreter Acct Assessment Other: _____