

RECENT WINS!

In re Jaime Ayala (H045079)
Panel attorney: Laurie Wilmore
Date: February 21, 2018

Appellant was convicted of felony failure to appear with the intent to evade the judicial process for missing a certain court date. It was shown on habeas corpus trial counsel failed to present evidence that appellant arrived late, and he immediately made a new court date the same day. The court of appeal issued an order to show cause. (Staff attorney Lori Quick)

People v. Jared Henry (H043252)
Panel attorney: William Hassler
Date: February 21, 2018

Appellant was convicted of assault with a deadly weapon in count one, domestic violence in count two, driving under the influence with injury in count three, and driving with a 0.08 percent alcohol level or more with injury in count four. The punishment for count four must be stayed under Penal Code section 654. The punishment for count three must also be stayed because the injury occurred when appellant tried to batter the victim. (Staff attorney Jonathan Grossman)

People v. Guillen (H043189)
Panel attorney: Siri Shetty
Date: February 16, 2018

Appellant was convicted of several felonies and misdemeanors. The court of appeal agreed the misdemeanor charges were brought after the statute of limitations had expired, and they must be dismissed. (Staff attorney Jonathan Grossman)

People v. Marcus Casillas (H042131)
Panel attorney: Michelle Peterson
Date: February 14, 2018

The matter was remanded for a *Franklin* hearing. (Staff attorney William Robinson)

People v. Jose Sanchez (H042713)
Panel attorney: Ronald Boyer
Date: February 8, 2018

Appellant was convicted of assault with a firearm and making criminal threats. The jury also found he personally used a firearm. The punishment for making criminal threats must be

stayed pursuant to Penal Code section 654. Further, the matter must be remanded for the court to exercise its discretion whether to strike the firearms enhancement under the new law. (Staff attorney Lori Quick)

People v. Emmanuel Baquiran (H044676)

Panel attorney: Kevin Lindsley

Date: January 19, 2018

A conviction for auto theft qualifies for resentencing under Proposition 47. (Staff attorney William Robinson)

People v. Saul Zabala (H043328)

Panel attorney: Gabriel Bassan

Date: January 11, 2018

The court of appeal agreed the prior drug trafficking enhancement must be stricken due to a change in the law. (Staff attorney Jonathan Grossman)

People v. Adalberto Aparicio (H043689)

Panel attorney: Hilda Scheib

Date: January 8, 2018

The court operations fee cannot be increased upon a violation of probation. Further, an emergency medical air transportation fee cannot be imposed for crimes committed before Government Code section 76000.10 was enacted. (Staff attorney Paul Couenhoven)