

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE  
 GENERAL MISDEMEANOR GUILTY PLEA FORM

Court **FILED**  
 SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF ORANGE  
**FEB 26 2018**  
 DAVID H. YAMASAKI, Clerk of the Court  
 BY: L. WIGHT DEPUTY

CASE NO. 17CF0642 PEOPLE vs. Miguel Saliceo

1. My true full name is Michael Schwartz

2. I understand that I am pleading  **GUILTY** ~~or Nolo Contendere~~ and admitting the following offenses, prior convictions and special punishment allegations, with the maximum punishment indicated below:

Amend to fact

CT	CHARGE	PRIORS (Date)	ALLEGATIONS	MAX SENTENCE JAIL/FINES
2	PC 149 misc			1yr DCJ / \$10,000

3. I understand I am also charged with a violation of probation in Case No. CT 1 dismissed by People

3. MS

**RIGHTS AND WAIVERS**

4. I understand I have the following constitutional rights, which I am waiving and giving up by entering my plea, and, if applicable, by my admission of a probation violation:

4. MS

4a. I have the right to be represented by an attorney at all stages of the proceedings until the case is completed. If I cannot afford an attorney, one will be appointed to represent me. (For defendants without an attorney: I am aware that there are dangers and disadvantages of representing myself and there may be a value in obtaining advice from an attorney in this matter but I knowingly and voluntarily waive and give up my right to an attorney and choose to represent myself.)

4a. MS

4b. I have the right to a speedy and public trial by a jury or a judge, and if charged with a probation violation, the right to a hearing before a judge. I waive and give up this right.

4b. MS

4c. I have the right to confront the witnesses against me and to cross examine them. I waive and give up this right.

4c. MS

4d. I have the right to testify on my own behalf but I cannot be compelled to be a witness against myself and may remain silent if I choose. I waive and give up this right.

4d. MS

4e. I have the right to present evidence and have the Court issue subpoenas to bring into Court all witnesses and evidence favorable to me, at no cost to me. I waive and give up this right.

4e. MS

4f. Under the Fourth and Fourteenth Amendments to the United States Constitution, I have a right to be free from unreasonable searches and seizures. If I am granted probation, I waive and give up this right. I agree to submit my person and property, including any residence, premises, container, or vehicle under my control, to search and seizure at any time of the day or night by any law enforcement or probation officer, with or without a warrant, and with or without reasonable cause or reasonable suspicion.

4f. MS

5. I understand I have the right to appeal an adverse ruling on a Penal Code section 1538.5 suppression motion. I waive and give up this right.

5. MS

6. I understand that I have the right to have a delay in pronouncement of my sentence of not less than six hours and not more than five days after my plea. I waive and give up this right and agree to be sentenced at this time.

6. MS

7. **Arbuckle waiver:** I understand I have the right to be sentenced by the judge who accepts this plea. I waive and give up this right.

7. MS

8. I understand I have the right to be present for the entry of the plea of guilty or nolo contendere, and I hereby waive and give up that right.

8. MS

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CASE NO. 17CF0042 PEOPLE vs. Miguel Salicio

9. I understand I have the right to reject probation, and I hereby waive and give up that right and accept probation on the terms and conditions  as imposed by the court, or  as contained in the attached Sentence Recommendation form.

9. MS

9a. If the judge does not wish to follow the Prosecutor's sentence recommendation, I may withdraw my plea.

9a. MS

9b. If I violate any of the terms of probation, I may be returned to court and sentenced up to the maximum punishment as indicated in 2 above.

9b. MS

9c. I understand that I have the right to a hearing before a judicial officer to determine whether I violated the conditions of my court-ordered supervision and to determine the appropriate sanction for the violations. I hereby waive and give up this right for all violations for which the county probation department orders me to serve a "flash incarceration", which can be a period of one to ten consecutive days in the county jail. However, if I do not agree with the imposition of flash incarceration, I am preserving my right to demand a hearing. I understand the court may not deny me probation if I elect not to sign this waiver.

9c. MS

CONSEQUENCES:

10. I understand that some possible consequences of my plea and admissions are as follows:

10a. There will be state penalty assessments added to any fines imposed by the court.

10a. MS

10b. I will be ordered to pay a minimum of \$100 and a maximum of \$1,000 to the State Restitution Fund unless the court makes a finding of "compelling and extraordinary reasons" for waiving this fine.

10b. MS

10c. I will be ordered to pay a minimum of \$100 and a maximum of \$1,000 probation revocation restitution fine pursuant to Penal Code section 1202.44. The restitution fine will be stayed but will be payable upon revocation of probation.

10c. MS

10d. If I am not a citizen of the United States, the plea or my conviction for the offense(s) charged will have the consequence of deportation, exclusion from admission to the United States, and denial of naturalization pursuant to the laws of the United States.

10d. MS

10e. If I am charged and convicted of a similar offense in the future, my plea today may be used to increase my punishment for the new offense.

10e. MS

10f. If I am presently on probation or parole for any previous conviction, my plea today may cause me to be in violation of that probation or parole and result in additional penalties and/or punishment.

10f. MS

10g. There may be additional consequences to my plea, as follows:

~~10g.~~

I may be required to register as a sex offender as required by Penal Code section 290.

I may be required to register as a drug offender as required by Health and Safety section 11590.

10h. The Department of Motor Vehicles may take action and may suspend my driver's license for specified drug, alcohol offenses and vandalism, including the following:

EVERYONE convicted of Penal Code section(s) 594, 594.3, or 594.4 (Vandalism): 1 year suspension.

UNDER 21 years of age – Suspended for 1 year for violation of Penal Code section(s) 647f, 192.5; Health and Safety Code sections involving dangerous drugs, controlled substances, and alcohol; Business and Professions Code section(s) 25658, 25658.5, 25661, 25662; Vehicle Code section(s) 23222, 23224.

~~10h.~~

11. I understand I have the right to enter my plea before, and be sentenced by, a judge. I waive and give up this right and agree to enter my plea before, and be sentenced by, a commissioner or temporary judge:

\_\_\_\_\_ (enter name of Commissioner or Temporary Judge).

11. MS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE  
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CASE NO. 17CF0042 PEOPLE vs. Miguel Salicru

PLEA

12. I offer my plea and admit the listed priors and allegations freely and voluntarily. No one has made any threats, used any force against me or my family or loved ones, and no one has made any promises to me other than as on the Sentence Recommendation form.

13. I make my plea with a full understanding of all the matters set forth in the charging document and in this form. I have read, understood, and personally initialed each item herein, and I understand that the signing and filing of this form is conclusive evidence that I have pleaded  GUILTY /  NOLO CONTENDERE to the charges set forth.

14. Discussion with my attorney (Leave this box blank if you are not represented by an attorney). Before entering this plea, I have had a full opportunity to discuss with my attorney the facts of the case, the elements of the charged offenses and prior convictions (if any), any defenses that I may have, my constitutional and statutory rights and waiver of those rights, the consequences of this plea, and anything else I think is important to my case.

14. ms

15. I offer the following as a factual basis for my plea: On 7/9/15, I was a police officer employed by Fullerton police department and on this date I did use excessive force by assaulting John Doe while acting under the color of authority. Additionally, I knowingly & intentionally filed a false police report with Fullerton Police Department in case number 15-442109 making a material false statement regarding the commission of a crime.

DATED: 02-26-18

SIGNED: [Signature]  
(Defendant)

DEFENDANT'S ATTORNEY: I am the attorney of record for the defendant. I have explained each of the above rights to the defendant and answered all of the defendant's questions with regard to the plea. I have discussed the facts of the defendant's case with the defendant and explained the consequences of this plea, the elements of the offense(s), the possible defenses, and the sentence to be imposed. I concur in this plea and in the defendant's decision to waive his/her constitutional rights.

DATED: 2/26/18

SIGNED: [Signature]  
(Attorney of Record)

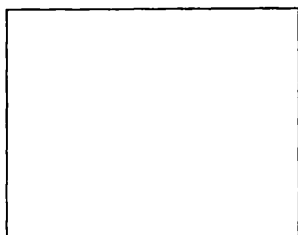
INTERPRETER'S STATEMENT: I, \_\_\_\_\_, having been duly sworn as a court certified/registered/provisionally qualified interpreter, state that I am fluent in the \_\_\_\_\_ language. I translated the contents of this form to defendant in that language.

DATED: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
(Court Interpreter)

FOR THE PEOPLE:  
DATED: 2/26/18

SIGNED: [Signature]



Right Thumb Print

\_\_\_\_\_  
(Bailiff's Signature and Badge #)

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE  
MISDEMEANOR SENTENCE RECOMMENDATION**

*Court Use Only*

(optional)

CASE NUMBER 17CF01042 PEOPLE VS Silco

- Count(s) 1 dismissed on motion of People.
- Count(s) \_\_\_\_\_ sentence suspended.
- Count(s) \_\_\_\_\_ stayed pursuant to PC 654.

**TERMS**

- Imposition  Execution of sentence is suspended. 3 years
- Formal  Informal PROBATION as to Count(s) 2.
- Violate no laws  Obey all orders and rules of Court, Probation Department & Jail.
- Submit to search and seizure.
- Consume no alcoholic beverages and do not be present in any establishment where alcohol is primary item of sale.
- Do not drive with a measurable amount of alcohol in blood system.
- Submit to a chemical test of blood on demand of any peace officer or probation officer.
- Use no unauthorized drugs, narcotics or controlled substances and submit to chemical testing on demand of probation officer or police officer.
- Cooperate with Probation Department in any plan for counseling or treatment.
- Seek training, schooling, employment and maintain residence as approved by the Probation Department.
- Do not associate with anyone disapproved of by your probation officer.
- Do not knowingly own, use or possess any type of dangerous or deadly weapon  Term of 10 years.
- Court orders weapon destroyed.
- Do not drive without a valid driver's license in your possession.
- Do not drive without valid insurance.
- Use TRUE NAME and Date of Birth at all times.
- Carry valid government issued identification card at all times.
- Provide the Court with your current address, telephone number, employer's name, address and telephone number. Immediately notify the Court of any changes.
- Disclose probation terms upon request of Probation or Law Enforcement Officer.

**FINES AND FEES**

- Pay a fine of \$ \_\_\_\_\_ + Penalty Assessment on count \_\_\_\_\_.
- Pay a fine of \$ \_\_\_\_\_ + Penalty Assessment on count \_\_\_\_\_.
- Commit on fine(s) on count(s) \_\_\_\_\_ for \_\_\_\_\_ days.
- Pay \$ \_\_\_\_\_ Court Costs on count(s) \_\_\_\_\_.
- Pay \$50 Alcohol Abuse Education Fee. (VC 23645)
- Pay \$50 Alcohol Testing Penalty (PC 1463.14)
- Pay \$100 Alcohol Assessment Fee. (VC 23649)
- Pay \$50 Lab fee + Penalty Assessment (PC 1463.14/HS 11372.5)
- Pay \$150 Drug Program Fee + Penalty Assessment (HS 11372.7)
- Pay \$ \_\_\_\_\_ Domestic Violence Discretionary Fee for all Orange County Domestic Violence Shelters. (PC 1203.097)
- Pay \$ \_\_\_\_\_ Domestic Violence Prevention Fund. (PC 1203.097(a)(5))

**THE FOLLOWING FEES ARE NOT CONDITIONS OF PROBATION:**

- Pay \$ 200 State Restitution Fine (minimum of \$100.00) on count(s) \_\_\_\_\_. (PC 1202.4(b)(1))
- Pay \$ 100 Probation Revocation Restitution Fine (minimum of \$100.00). Restitution fine stayed. Effective upon revocation of probation. (PC 1202.44)
- Pay the following fees:
  - Criminal Conviction Assessment Fee(s) \$30/misdemeanor; \$35/infraction (per convicted count). (GC 70373(a)(1))
  - \$40.00 Court Operations Fee (per convicted count) (PC 1465.8)
  - Additional fees as required by law
- \$10 Local Crime Prevention Fund (PC 1202.5)
- Pay Booking Fees as ordered by the Court.
- Pay costs of formal probation as directed by Probation Officer.
- Fines/Fees to be paid forthwith.
- Fines/Fees to be paid through Court Collections  forthwith  by \_\_\_\_\_.
- Fines/Fees to be paid through Probation.

Additional program fees may be applicable and paid through the program.

**JAIL**

- Serve 30 days Orange County Jail on Count 2.
- Serve \_\_\_\_\_ days Orange County Jail on Count \_\_\_\_\_.
- Jail to be served through the City of \_\_\_\_\_.
- Credit for \_\_\_\_\_ actual + \_\_\_\_\_ = total \_\_\_\_\_.
- Work release denied  Electronic Confinement denied
- County Work Program denied
- JAIL STAYED to 4/30/18 at 7 PM Report to  Theo Lacy
- Orange County Jail-Intake Release Center.
- May be released to an authorized representative of the \_\_\_\_\_ program to serve remainder of jail sentence.
- Serve \_\_\_\_\_ weekends at \_\_\_\_\_ Jail (no good time or work time to be applied to original sentence).
- Sentence(s) to run consecutive / concurrent to each other / any other sentence / Case No: \_\_\_\_\_
- Jail stayed to \_\_\_\_\_ pending successful completion of \_\_\_\_\_
- DUI Court (except any statutory minimum term which may be served on SEC during the term of DUI Court as imposed by the Court.)
- Probation  Community Service  Cal Trans
- Cal Trans/Physical Labor by \_\_\_\_\_.
- Receive day for day credit. If program not completed, full jail sentence to be imposed with no credit for time served.
- To be served in State Prison concurrently.
- Book and release and show proof by 4/30/18.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE  
MISDEMEANOR SENTENCE RECOMMENDATION

CASE NUMBER 17CF0042

PEOPLE VS SILVEU

**COMMUNITY SERVICE / OTHER PROGRAMS**

- Complete 720 hours  days of  Comm. Service
- Car Trans  Car Trans/Physical Labor
- In lieu of fines  In lieu of jail
- Complete Graffiti Removal as to count(s) \_\_\_\_\_.
- Proof of completion due to the Clerk's Office by \_\_\_\_\_.

**ALCOHOL & DRUG/PROGRAMS/DRIVERS LICENSE**

Complete 1<sup>st</sup> Offender Program:

- 3 month program  6 month  9 month
- Complete Multiple Offender – 18 month
- 12 hour program
- Attend Victim Impact Counseling. Proof of completion due to the Clerk's Office by \_\_\_\_\_.
- Attend and complete \_\_\_\_\_ self help and/or Alcoholics Anonymous meetings  self help and/or Narcotics Anonymous meetings  per day  per week  per month. Proof due by \_\_\_\_\_.
- Court designates defendant a Habitual Offender. (VC 13350(b))
- Driving privilege suspended for 1 year pursuant to:
  - VC 13202 (Vehicle conviction related to controlled substances)
  - VC 13202.5 (Alcohol / Drugs under the age of 21)
  - VC 13202.6 (Vandalism)
- Driving privilege suspended for \_\_\_\_\_ year(s) pursuant to VC 13352(a)(3) (2<sup>nd</sup> DUI conviction w/in 10 years)
- Driving privilege revoked for \_\_\_\_\_ years pursuant to VC 13352(a)(5)
- Complete Youthful Alcohol & Drug Deterrence Program and show proof to the Clerk's Office by \_\_\_\_\_.
- Enroll and complete PC 1210 program. Proof of enrollment due by \_\_\_\_\_. Refer to PC 1210 Addendum
- Register with local law enforcement within 5 days from today or within 5 days upon release from custody pursuant to:
  - HS 11590 (narcotics offense)
  - PC 186.30 (gang related offense)
  - PC 457.1 (arson offense) – Lifetime registration
  - PC 290 (sex offense) – Lifetime registration
- Submit to AIDS testing. Proof due to Department \_\_\_\_\_ by \_\_\_\_\_.
- Attend and complete AIDS Prevention Education. Proof of completion due to the Clerk's Office by \_\_\_\_\_.

**DOMESTIC VIOLENCE**

- Complete Batterers' Treatment Program. (52 weeks active participation required)
  - Alcohol/Drug Component
  - Total abstinence from alcohol and drugs
  - Test alcohol and drugs (blood or urine only)
  - Parenting component
- One year Child Abuser's Program.
- Health Care Agency Perinatal Program.

**DOMESTIC VIOLENCE, continued**

- Other program(s) \_\_\_\_\_  weeks  months  years active participation required.
- Proof of enrollment due to the Court by \_\_\_\_\_.
- Comply with Court protective order.
- Defendant owns/possesses firearm(s). Relinquishment hearing set on \_\_\_\_\_.
- Surrender all firearms within 24 hours as required by law and file proof of surrender form within 48 hours with the Court.

**RESTITUTION**

- Make Restitution in the amount of \$ 4200 or as determined through  Victim Witness  Probation, with interest at the rate of 10%  from the date of sentencing  from the date of loss.
- Pay \$ \_\_\_\_\_ to Victim Witness Emergency Fund by \_\_\_\_\_. (PC 1203.1(j))
- Pay cost of counseling to the victim and/or children in the amount of \$ \_\_\_\_\_.
- Submit a new financial disclosure form if money is still owing on a restitution order or fine 120 days before the scheduled release from probation. File the form with the court at least 90 days before the scheduled release from probation.
- Complete and return Statement of Assets form by \_\_\_\_\_.

**ADDITIONAL TERMS & CONDITIONS**

- Have no contact with \_\_\_\_\_.
- Stay \_\_\_\_\_ miles  yards away from \_\_\_\_\_.
- Obey all rules of Court ordered program. Do not leave the program without Court approval.
- Probation to  terminate  be modified to Informal status upon \_\_\_\_\_.

**ADDENDUMS**

- PC 1210 with Disclosure  Gang  Graffiti  DUI Court
- \_\_\_\_\_
- \_\_\_\_\_

**DEFERRED ENTRY OF JUDGMENT (PC1000)**

- All checked terms and conditions will be imposed, if terminated from the PC1000 Program.

REPORT  forthwith  by stay date to:

- Collections  Clerk's Office  Probation
- OneOC  Alcohol Liaison  \_\_\_\_\_
- District Attorney  Victim Witness

**OTHER** \_\_\_\_\_

**NOTICE TO DEFENDANT:** After successful completion of probation, or if not placed on probation, any time after the lapse of one year from the date of pronouncement of judgment, you may petition the court to dismiss the charges under Penal Code Section 1203.4. This notice does not apply to any protective orders.

I have read, I understand, and I accept these terms and conditions of probation.

Date: 02-26-18

Defendant's Signature: \_\_\_\_\_ D.A. / C.A. Signature: \_\_\_\_\_

Defense Counsel Signature: \_\_\_\_\_