

LARRY LABORDE\*  
JEFF DAUGHERTY  
JOSHANA L. McVEIGH

**LABORDE & DAUGHERTY**  
ATTORNEYS AND COUNSELORS AT LAW

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SANTA BARBARA, CA 93101  
(805) 963-4567 • (800) 485-7329  
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VINCENT ROBERTI  
ADMINISTRATOR

*\*CERTIFIED FAMILY LAW SPECIALIST  
STATE BAR OF CALIFORNIA BOARD OF  
LEGAL SPECIALIZATION. ADMITTED TO  
PRACTICE IN CALIFORNIA AND IOWA.*

May 20, 2012

Holly Perea  
Police Technician  
215 E. Figueroa St.  
POB 539  
Santa Barbara CA 93102

RE: Fire and Police Commission  
Appeal of Denial of Taxi Driver Permit  
My client Fernando Serrano Jr.

Dear Ms. Perea:

We were on calendar for the appeal hearing in the above referenced matter on February 23, 2012.

At that hearing, the commission agreed to continue the matter to May 24, 2012 so that this office could complete the process of expunging and dismissing all convictions of Mr. Serrano, including those that he failed to include in his original application. I have completed that process and enclose the Declaration and Application for Change of Plea and Request for Dismissal (PC §1203.4/1203.41).

The Live Scan fingerprint results confirmed that Mr. Serrano was actually convicted of the following. I have referenced them with an Exhibit Tab for easy reference, and have, within each Exhibit Tab provided the Declaration and Application for Change of Plea and Request for Dismissal signed by Judge Frank Ochoa.

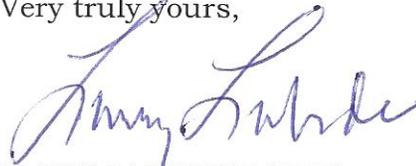
Exhibit "A": in 2002: Case #1068298; 647(F)PC-Disorderly Conduct  
Exhibit "B": in 2003: Case #1106527; 23152(A)VC-DUI  
Exhibit "C": in 2004: Case #1134415; 415(2)PC-Disturbance by Loud Noise  
Exhibit "D": in 2005: Case #1207120; 647(F)PC-Disorderly Conduct  
Exhibit "E": in 2006: Case #1214014; 647(F)PC-Disorderly Conduct  
Exhibit "F": in 2008: Case #1257267; 647(F)PC-Disorderly Conduct

My investigation revealed a charge in 2001, Case #1073634; 415(2)PC-Disturbance by Loud Noise that was not listed in your February 23, 2012 memorandum. That charge, along with all of the charges listed above, has been dismissed by Judge Frank Ochoa [Exhibit "G"].

I am hopeful that you can distribute this letter and the attached exhibits prior to the continued hearing on May 24, 2012.

Thank you for your attention to this important matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Larry Laborde". The signature is written in a cursive style with a large initial "L".

LARRY LABORDE CFLS  
Laborde & Daugherty

Encl  
cc: client file

A

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): TELEPHONE NO.:

Larry Laborde CFLS SBN 151975
Laborde & Daugherty
El Centro Building
21 E. Canon Perdido St., Ste. 305
Santa Barbara, CA 93101

(805) 963-4567

FOR COURT USE ONLY

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

APR 04 2012

GARY M. BLAIR, EXEC. OFFICER
By Josefa B. Martinez
Josefina Martinez - Deputy Clerk
Entered into sustain by

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA

STREET ADDRESS: 118 E. Figueroa St.
CITY AND ZIP CODE: Santa Barbara, CA 93101
BRANCH NAME: Figueroa Division

PLAINTIFF: People of the State of California

DEFENDANT: Fernando Serrano, Jr.
PRINT OR TYPE DEFENDANTS NAME

Declaration and Application for Change of Plea and Request for Dismissal (PC § 1203.4/1203.4a)

CASE NUMBER: 1068298

- 1. My date of birth is 12/30/1980. My driver's license number is B7891075.
2. On the date of 01/07/2002, I was convicted of the misdemeanor offense(s) of violation of Penal Code § 647(f)
3. I was: (check one) (1203.4) placed on probation, and I have fulfilled all the conditions of probation for the entire time required.
4. I am not now charged with, serving a sentence for, or on probation for any offense. Since being sentenced or placed on probation in this case, I have lived an honest life, have conformed to and obeyed the laws of the land, and have not been convicted, arrested, or given a citation (ticket) except See Attachment "A"
5. I request that the conviction be set aside, that a plea of not guilty be entered, and that the Court dismiss this action pursuant to the provisions of section 1203.4/1203.4a of the Penal Code.
6. I understand that the requested dismissal: (a) will not affect any revocation or suspension of my driving privilege, (b) will not prevent this conviction from being pled to and proved in any subsequent prosecution, and (c) will not relieve me of the obligation to disclose the conviction in response to a direct question in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.
7. Fee Waiver request - If you cannot afford to pay court fees and costs, you may not have to pay them. If you are receiving public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and the court fees, you may ask the court to waive all or part of your court fees. To make a request to the court to waive your fees in superior court, complete the Request to Waive Court Fees (form FW-001) and attach to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on 02-27-12 at Santa Barbara, California.
Signature of Defendant: Fernando Serrano, Jr.
Print or Type Defendant's Name

7819 Langlo Ranch Rd., Goleta, CA 93117
Street Address City State Zip Code

DO NOT WRITE BELOW THIS LINE - FOR COURT USE ONLY

YOU MUST APPEAR IN COURT ON: TIME: DEPT:
District Attorney notified on by Deputy
CII and DMV processed on by Deputy

ORDER

The declaration and application by defendant is
Granted Pursuant to Penal Code section 1203.4/1203.4a, it is so ordered that the conviction be set aside, a plea of not guilty be entered, and the complaint dismissed upon payment of any fee imposed by the court on this order.
Pay fee in the amount of \$50.00 (court costs) and \$7.00 (county costs) to the Court by 5.4.12.
No fee imposed.
Denied

Dated: APR 04 2012

FRANK J. OCHOA

Judge of the Superior Court

B

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): Larry Laborde CFLS SBN 151975 Laborde & Daugherty El Centro Building 21 E. Canon Perdido St., Ste. 305 Santa Barbara, CA 93101		TELEPHONE NO.: (805) 963-4567	FOR COURT USE ONLY
ATTORNEY FOR (NAME): Fernando Serrano, Jr.		FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA BARBARA APR 04 2012	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 118 E. Figueroa St. CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: Figueroa Division		GARY M. BLAIR, EXEC. OFFICER By <u>Josefina B. Martinez</u> Josefina Martinez - Deputy Clerk Entered into sustain by _____	
PLAINTIFF: People of the State of California	DEFENDANT: <u>Fernando Serrano, Jr.</u> PRINT OR TYPE DEFENDANTS NAME		CASE NUMBER: 1106527
Declaration and Application for Change of Plea and Request for Dismissal (PC § 1203.4/1203.4a)			

- My date of birth is 12/30/1980. My driver's license number is B7891075.
- On the date of 09/12/2003, I was convicted of the misdemeanor offense(s) of violation of section(s) Vehicle Code § 23152(a) and Vehicle Code § 23152(b).
- I was: (check one)  (1203.4) placed on probation, and I have fulfilled all the conditions of probation for the entire time required.  (1203.4a) sentenced more than one year ago, without probation, and I have fully complied with the sentence.
- I am not now charged with, serving a sentence for, or on probation for any offense. Since being sentenced or placed on probation in this case, I have lived an honest life, have conformed to and obeyed the laws of the land, and have not been convicted, arrested, or given a citation (ticket) except See Attachment "A".
- I request that the conviction be set aside, that a plea of not guilty be entered, and that the Court dismiss this action pursuant to the provisions of section 1203.4/1203.4a of the Penal Code.
- I understand that the requested dismissal: (a) will not affect any revocation or suspension of my driving privilege, (b) will not prevent this conviction from being pled to and proved in any subsequent prosecution, and (c) will not relieve me of the obligation to disclose the conviction in response to a direct question in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.
- Fee Waiver request - If you cannot afford to pay court fees and costs, you may not have to pay them. If you are receiving public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and the court fees, you may ask the court to waive all or part of your court fees. To make a request to the court to waive your fees in superior court, complete the Request to Waive Court Fees (form FW-001) and attach to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on 02-27-12 at Santa Barbara, California.  
Date Place

[Signature] Signature of Defendant Fernando Serrano, Jr. Print or Type Defendant's Name

7819 Langlo Ranch Rd., Goleta, CA 93117 Street Address City State Zip Code

DO NOT WRITE BELOW THIS LINE - FOR COURT USE ONLY

YOU MUST APPEAR IN COURT ON: \_\_\_\_\_ TIME: \_\_\_\_\_ DEPT: \_\_\_\_\_

District Attorney notified on \_\_\_\_\_ by \_\_\_\_\_, Deputy

CII and DMV processed on \_\_\_\_\_ by \_\_\_\_\_, Deputy

ORDER

The declaration and application by defendant is

**Granted** Pursuant to Penal Code section 1203.4/1203.4a, it is so ordered that the conviction be set aside, a plea of not guilty be entered, and the complaint dismissed upon payment of any fee imposed by the court on this order.

Pay fee in the amount of  \$50.00 (court costs) and  \$7.00 (county costs) to the Court by 5.4.12.

Pay fee in the amount of \$ \_\_\_\_\_ (court costs) and \$ \_\_\_\_\_ (county costs) to the Court by \_\_\_\_\_.

No fee imposed.

**Denied**

Dated: APR 04 2012 FRANK J. OCHOA  
Judge of the Superior Court

C

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): Larry Laborde CFLS SBN 151975 Laborde & Daugherty El Centro Building 21 E. Canon Perdido St., Ste. 305 Santa Barbara, CA 93101		TELEPHONE NO.: (805) 963-4567	FOR COURT USE ONLY  <b>FILED</b> SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA BARBARA  APR 04 2012 GARY M. BLAIR, EXEC. OFFICER By <u>Josefina B. Martinez</u> Josefina Martinez - Deputy Clerk Entered into sustain by _____
ATTORNEY FOR (NAME): Fernando Serrano, Jr.			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 1100 Anacapa St. CITY AND ZIP CODE: Santa Barbara, CA 93121-1107 BRANCH NAME: Anacapa Division			
PLAINTIFF: People of the State of California	DEFENDANT: <u>Fernando Serrano, Jr.</u> PRINT OR TYPE DEFENDANTS NAME	CASE NUMBER: 1134415	

**Declaration and Application for Change of Plea and Request for Dismissal (PC § 1203.4/1203.4a)**

- My date of birth is 12/30/1980. My driver's license number is B7891075.
- On the date of 01/02/2004, I was convicted of the misdemeanor offense(s) of violation of section(s) Penal Code § 415(2).
- I was: (check one)  (1203.4) placed on probation, and I have fulfilled all the conditions of probation for the entire time required.  (1203.4a) sentenced more than one year ago, without probation, and I have fully complied with the sentence.
- I am not now charged with, serving a sentence for, or on probation for any offense. Since being sentenced or placed on probation in this case, I have lived an honest life, have conformed to and obeyed the laws of the land, and have not been convicted, arrested, or given a citation (ticket) except See Attachment "A".
- I request that the conviction be set aside, that a plea of not guilty be entered, and that the Court dismiss this action pursuant to the provisions of section 1203.4/1203.4a of the Penal Code.
- I understand that the requested dismissal: (a) will not affect any revocation or suspension of my driving privilege, (b) will not prevent this conviction from being pled to and proved in any subsequent prosecution, and (c) will not relieve me of the obligation to disclose the conviction in response to a direct question in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.
- Fee Waiver request - If you cannot afford to pay court fees and costs, you may not have to pay them. If you are receiving public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and the court fees, you may ask the court to waive all or part of your court fees. To make a request to the court to waive your fees in superior court, complete the Request to Waive Court Fees (form FW-001) and attach to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on 02-27-12 at Santa Barbara, California.  
Date Place

[Signature] Signature of Defendant Fernando Serrano, Jr. Print or Type Defendant's Name

7819 Langlo Ranch Rd., Goleta, CA 93117 Street Address City State Zip Code

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YOU MUST APPEAR IN COURT ON: \_\_\_\_\_ TIME: \_\_\_\_\_ DEPT: \_\_\_\_\_

District Attorney notified on \_\_\_\_\_ by \_\_\_\_\_, Deputy

CII and DMV processed on \_\_\_\_\_ by \_\_\_\_\_, Deputy

**ORDER**

The declaration and application by defendant is

**Granted** Pursuant to Penal Code section 1203.4/1203.4a, it is so ordered that the conviction be set aside, a plea of not guilty be entered, and the complaint dismissed upon payment of any fee imposed by the court on this order.

Pay fee in the amount of  \$50.00 (court costs) and  \$7.00 (county costs) to the Court by 5.4.12.

Pay fee in the amount of \$ \_\_\_\_\_ (court costs) and \$ \_\_\_\_\_ (county costs) to the Court by \_\_\_\_\_.

No fee imposed.

**Denied**

Dated: APR 04 2012 FRANK J. OCHOA  
Judge of the Superior Court

D

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): Larry Laborde CFLS SBN 151975 Laborde & Daugherty El Centro Building 21 E. Canon Perdido St., Ste. 305 Santa Barbara, CA 93101 ATTORNEY FOR (NAME): Fernando Serrano, Jr.	TELEPHONE NO.: (805) 963-4567	FOR COURT USE ONLY  <b>FILED</b> SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA BARBARA  APR 04 2012  GARY M. BLAIR, EXEC. OFFICER By <u>Josefina R. Martinez</u> Josefina Martinez - Deputy Clerk Entered into sustain by _____
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 118 E. Figueroa St. CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: Figueroa Division		CASE NUMBER: 1207120
PLAINTIFF: People of the State of California	DEFENDANT: <u>Fernando Serrano, Jr.</u> PRINT OR TYPE DEFENDANTS NAME	
<b>Declaration and Application for Change of Plea and Request for Dismissal (PC § 1203.4/1203.4a)</b>		

- My date of birth is 12/30/1980. My driver's license number is B7891075.
- On the date of 05/08/2006, I was convicted of the misdemeanor offense(s) of violation of section(s) Penal Code § 647(f).
- I was: (check one)  (1203.4) placed on probation, and I have fulfilled all the conditions of probation for the entire time required.  (1203.4a) sentenced more than one year ago, without probation, and I have fully complied with the sentence.
- I am not now charged with, serving a sentence for, or on probation for any offense. Since being sentenced or placed on probation in this case, I have lived an honest life, have conformed to and obeyed the laws of the land, and have not been convicted, arrested, or given a citation (ticket) except See Attachment "A".
- I request that the conviction be set aside, that a plea of not guilty be entered, and that the Court dismiss this action pursuant to the provisions of section 1203.4/1203.4a of the Penal Code.
- I understand that the requested dismissal: (a) will not affect any revocation or suspension of my driving privilege, (b) will not prevent this conviction from being pled to and proved in any subsequent prosecution, and (c) will not relieve me of the obligation to disclose the conviction in response to a direct question in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.
- Fee Waiver request - If you cannot afford to pay court fees and costs, you may not have to pay them. If you are receiving public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and the court fees, you may ask the court to waive all or part of your court fees. To make a request to the court to waive your fees in superior court, complete the Request to Waive Court Fees (form FW-001) and attach to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on 02-27-12 at Santa Barbara, California.  
 \_\_\_\_\_ Date \_\_\_\_\_ Place \_\_\_\_\_  
 Signature of Defendant Fernando Serrano, Jr.  
 Print or Type Defendant's Name

7819 Langlo Ranch Rd., Goleta, CA 93117  
 Street Address City State Zip Code

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YOU MUST APPEAR IN COURT ON: \_\_\_\_\_ TIME: \_\_\_\_\_ DEPT: \_\_\_\_\_

District Attorney notified on \_\_\_\_\_ by \_\_\_\_\_, Deputy

CII and DMV processed on \_\_\_\_\_ by \_\_\_\_\_, Deputy

**ORDER**

The declaration and application by defendant is

**Granted** Pursuant to Penal Code section 1203.4/1203.4a, it is so ordered that the conviction be set aside, a plea of not guilty be entered, and the complaint dismissed upon payment of any fee imposed by the court on this order.

Pay fee in the amount of  \$50.00 (court costs) and  \$7.00 (county costs) to the Court by 5.4.12.

Pay fee in the amount of \$ \_\_\_\_\_ (court costs) and \$ \_\_\_\_\_ (county costs) to the Court by \_\_\_\_\_.

No fee imposed.

Denied.

**APR 04 2012**

Dated: \_\_\_\_\_ FRANK J. OCHOA  
 \_\_\_\_\_  
 Judge of the Superior Court

E

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): Larry Laborde CFLS SBN 151975 Laborde & Daugherty El Centro Building 21 E. Canon Perdido St., Ste. 305 Santa Barbara, CA 93101 ATTORNEY FOR (NAME): Fernando Serrano, Jr.	TELEPHONE NO.: (805) 963-4567	FOR COURT USE ONLY  <b>FILED</b> SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA BARBARA  APR 04 2012  GARY M. BLAIR, EXEC. OFFICER By <u>Josefina B. Martinez</u> Josefina Martinez - Deputy Clerk Entered into sustain by _____
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 118 E. Figueroa St. CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: Figueroa Division		CASE NUMBER: 1214014
PLAINTIFF: People of the State of California	DEFENDANT: <u>Fernando Serrano, Jr.</u> PRINT OR TYPE DEFENDANTS NAME	
<b>Declaration and Application for Change of Plea and Request for Dismissal (PC § 1203.4/1203.4a)</b>		

- My date of birth is 12/30/1980. My driver's license number is B7891075.
- On the date of 10/05/2006, I was convicted of the misdemeanor offense(s) of violation of section(s) Penal Code § 647(f).
- I was: (check one)  (1203.4) placed on probation, and I have fulfilled all the conditions of probation for the entire time required.  (1203.4a) sentenced more than one year ago, without probation, and I have fully complied with the sentence.
- I am not now charged with, serving a sentence for, or on probation for any offense. Since being sentenced or placed on probation in this case, I have lived an honest life, have conformed to and obeyed the laws of the land, and have not been convicted, arrested, or given a citation (ticket) except See Attachment "A".
- I request that the conviction be set aside, that a plea of not guilty be entered, and that the Court dismiss this action pursuant to the provisions of section 1203.4/1203.4a of the Penal Code.
- I understand that the requested dismissal: (a) will not affect any revocation or suspension of my driving privilege, (b) will not prevent this conviction from being pled to and proved in any subsequent prosecution, and (c) will not relieve me of the obligation to disclose the conviction in response to a direct question in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.
- Fee Waiver request - If you cannot afford to pay court fees and costs, you may not have to pay them. If you are receiving public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and the court fees, you may ask the court to waive all or part of your court fees. To make a request to the court to waive your fees in superior court, complete the Request to Waive Court Fees (form FW-001) and attach to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on 02-27-12 at Santa Barbara, California.  
 \_\_\_\_\_ Date \_\_\_\_\_ Place \_\_\_\_\_  
 \_\_\_\_\_ Signature of Defendant Fernando Serrano, Jr. Print or Type Defendant's Name  
7819 Langlo Ranch Rd., Goleta, CA 93117 Street Address City State Zip Code

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District Attorney notified on \_\_\_\_\_ by \_\_\_\_\_, Deputy

CII and DMV processed on \_\_\_\_\_ by \_\_\_\_\_, Deputy

**ORDER**

The declaration and application by defendant is

**Granted** Pursuant to Penal Code section 1203.4/1203.4a, it is so ordered that the conviction be set aside, a plea of not guilty be entered, and the complaint dismissed upon payment of any fee imposed by the court on this order.

Pay fee in the amount of  \$50.00 (court costs) and  \$7.00 (county costs) to the Court by 5.4.12.

Pay fee in the amount of \$ \_\_\_\_\_ (court costs) and \$ \_\_\_\_\_ (county costs) to the Court by \_\_\_\_\_.

No fee imposed.

**Denied**

Dated: APR 04 2012 \_\_\_\_\_ **FRANK J. OCHOA** \_\_\_\_\_  
 \_\_\_\_\_ Judge of the Superior Court

F

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): Larry Laborde CFLS SBN 151975 Laborde & Daugherty El Centro Building 21 E. Canon Perdido St., Ste. 305 Santa Barbara, CA 93101 ATTORNEY FOR (NAME): Fernando Serrano, Jr.		TELEPHONE NO.: (805) 963-4567	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 118 E. Figueroa St. CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: Figueroa Division			FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA BARBARA  APR 04 2012
PLAINTIFF: People of the State of California	DEFENDANT: Fernando Serrano, Jr. PRINT OR TYPE DEFENDANTS NAME		GARY M. BLAIR, EXEC. OFFICER By <u>Josefina B. Martinez</u> Josefina Martinez - Deputy Clerk Entered into sustain by _____
Declaration and Application for Change of Plea and Request for Dismissal (PC § 1203.4/1203.4a)		CASE NUMBER: 1257267	

- My date of birth is 12/30/1980. My driver's license number is B7891075.
- On the date of 02/19/2008, I was convicted of the misdemeanor offense(s) of violation of section(s) Penal Code § 647(f).
- I was: (check one)  (1203.4) placed on probation, and I have fulfilled all the conditions of probation for the entire time required.  (1203.4a) sentenced more than one year ago, without probation, and I have fully complied with the sentence.
- I am not now charged with, serving a sentence for, or on probation for any offense. Since being sentenced or placed on probation in this case, I have lived an honest life, have conformed to and obeyed the laws of the land, and have not been convicted, arrested, or given a citation (ticket) except See Attachment "A".
- I request that the conviction be set aside, that a plea of not guilty be entered, and that the Court dismiss this action pursuant to the provisions of section 1203.4/1203.4a of the Penal Code.
- I understand that the requested dismissal: (a) will not affect any revocation or suspension of my driving privilege, (b) will not prevent this conviction from being pled to and proved in any subsequent prosecution, and (c) will not relieve me of the obligation to disclose the conviction in response to a direct question in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.
- Fee Waiver request - If you cannot afford to pay court fees and costs, you may not have to pay them. If you are receiving public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and the court fees, you may ask the court to waive all or part of your court fees. To make a request to the court to waive your fees in superior court, complete the Request to Waive Court Fees (form FW-001) and attach to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on 02-27-12 at Santa Barbara, California.  
Date Place  
[Signature] Signature of Defendant Fernando Serrano, Jr. Print or Type Defendant's Name

7819 Langlo Ranch Rd., Goleta, CA 93117  
Street Address City State Zip Code

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YOU MUST APPEAR IN COURT ON: \_\_\_\_\_ TIME: \_\_\_\_\_ DEPT: \_\_\_\_\_

District Attorney notified on \_\_\_\_\_ by \_\_\_\_\_, Deputy

CII and DMV processed on \_\_\_\_\_ by \_\_\_\_\_, Deputy

**ORDER**

The declaration and application by defendant is

**Granted** Pursuant to Penal Code section 1203.4/1203.4a, it is so ordered that the conviction be set aside, a plea of not guilty be entered, and the complaint dismissed upon payment of any fee imposed by the court on this order.

Pay fee in the amount of  \$50.00 (court costs) and  \$7.00 (county costs) to the Court by 5.4.12.

Pay fee in the amount of \$ \_\_\_\_\_ (court costs) and \$ \_\_\_\_\_ (county costs) to the Court by \_\_\_\_\_.

No fee imposed.

**Denied**

APR 04 2012

Dated: \_\_\_\_\_ FRANK J. OCHOA  
Judge of the Superior Court

6

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): Larry Laborde CFLS SBN 151975 Laborde & Daugherty El Centro Building 21 E. Canon Perdido St., Ste. 305 Santa Barbara, CA 93101 ATTORNEY FOR (NAME): Fernando Serrano, Jr.		TELEPHONE NO.: (805) 963-4567	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 118 E. Figueroa St. CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: Figueroa Division			FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA BARBARA APR 04 2012 GARY M. BLAIR, EXEC. OFFICER By <u>Josefina B. Martinez</u> Entered into sustain by <u>Josefina Martinez - Deputy Clerk</u>
PLAINTIFF: People of the State of California	DEFENDANT: <u>Fernando Serrano, Jr.</u> PRINT OR TYPE DEFENDANT'S NAME		CASE NUMBER: 1073634
Declaration and Application for Change of Plea and Request for Dismissal (PC § 1203.4/1203.4a)			

- My date of birth is 12/30/1980. My driver's license number is B7891075.
- On the date of 11/05/2001, I was convicted of the misdemeanor offense(s) of violation of section(s) Penal Code § 415(2).
- I was: (check one)  (1203.4) placed on probation, and I have fulfilled all the conditions of probation for the entire time required.  (1203.4a) sentenced more than one year ago, without probation, and I have fully complied with the sentence.
- I am not now charged with, serving a sentence for, or on probation for any offense. Since being sentenced or placed on probation in this case, I have lived an honest life, have conformed to and obeyed the laws of the land, and have not been convicted, arrested, or given a citation (ticket) except See Attachment "A".
- I request that the conviction be set aside, that a plea of not guilty be entered, and that the Court dismiss this action pursuant to the provisions of section 1203.4/1203.4a of the Penal Code.
- I understand that the requested dismissal: (a) will not affect any revocation or suspension of my driving privilege, (b) will not prevent this conviction from being pled to and proved in any subsequent prosecution, and (c) will not relieve me of the obligation to disclose the conviction in response to a direct question in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.
- Fee Waiver request - If you cannot afford to pay court fees and costs, you may not have to pay them. If you are receiving public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and the court fees, you may ask the court to waive all or part of your court fees. To make a request to the court to waive your fees in superior court, complete the Request to Waive Court Fees (form FW-001) and attach to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on 02-27-12 at Goleta, California.  
Date Place

[Signature] Signature of Defendant Fernando Serrano, Jr. Print or Type Defendant's Name

7819 Langlo Ranch Rd., Goleta, CA 93117 Street Address City State Zip Code

DO NOT WRITE BELOW THIS LINE - FOR COURT USE ONLY

YOU MUST APPEAR IN COURT ON: \_\_\_\_\_ TIME: \_\_\_\_\_ DEPT: \_\_\_\_\_

District Attorney notified on \_\_\_\_\_ by \_\_\_\_\_, Deputy

CII and DMV processed on \_\_\_\_\_ by \_\_\_\_\_, Deputy

ORDER

The declaration and application by defendant is

**Granted** Pursuant to Penal Code section 1203.4/1203.4a, it is so ordered that the conviction be set aside, a plea of not guilty be entered, and the complaint dismissed upon payment of any fee imposed by the court on this order.

Pay fee in the amount of  \$50.00 (court costs) and  \$7.00 (county costs) to the Court by 5.4.12.

Pay fee in the amount of \$ \_\_\_\_\_ (court costs) and \$ \_\_\_\_\_ (county costs) to the Court by \_\_\_\_\_.

No fee imposed.

Denied

Dated: APR 04 2012 FRANK J. OCHOA  
Judge of the Superior Court