



SUPERIOR Court of California, County of Fresno
1100 Van Ness Avenue, Fresno, CA 93724
MINUTE ORDER

The People of the State of California vs. **Khoi Manh Le**
AKAs:

Case Number: **M15931231**

Hearing Date:	3/6/2017	DOB:	1/4/1973
Department:	Department 2	Sex:	M
Heard by:	Heather M Jones		
Violation Date:	07/06/2015	Booking Number:	
Filing Agency:	District Attorney	Jail ID Number:	
Filing Agency Case:	2015M27231		
Charging Document:	Formal Complaint		

CNT	OL	CHARGE
001	MISD	PC 653m(b)

Hearing: Pre-Trial Results: Heard Start time:

Location: Department 2
Judicial Officer:
Commissioner: Heather M Jones
Clerk: Paula Arriola
Reporter:

Proceedings recorded electronically at. Time: 9:11am; 9:16am

Private Counsel appearing on behalf of the Defendant. Attorney: Mark Coleman
Defendant present: Yes

District Attorney appearing on behalf of the People. Deputy District Attorney: K. McPherson

Motion. Submitting Party: People
Type of Motion: Amend count 001
Oral/Written: Oral

Motion Granted.

Count **001** amended on Monday, March 06, 2017 to **PC 653m(b)**, Anonymous Telephone Calls
Misdemeanor. Reason: **Amended by Interlineation**.

Withdraw plea. Defendant's motion to withdraw plea granted.
Plea: Not Guilty
Count(s): 001

Notice of Conditional Settlement. Defendant enters into a conditional settlement on agreed upon
condition that Defendant has no new arrests based on probable cause for 6 months.

Plea amended to Nolo Contendre as to count001. Anonymous Telephone Calls.

As to count 001. Anonymous Telephone Calls, the following disposition is entered: Pled Nolo
Contendere.

Change of plea form signed and filed. The change of plea form is signed and filed in open court. Court
accepts the plea and finds it was made knowingly, intelligently and voluntarily and that the plea is
supported by a factual basis (People v West)

Defendant advised of rights in open court.

Defendant agrees to Arbuckle waiver.

Criminal Protective Order Remains. Date of Protective Order: 1/20/2016

The Court places the following interim conditions upon the Defendant:
Obey all laws

Court orders. Continue attending counseling sessions and complying with current criminal protective
order

Defendant waives statutory time for sentencing.

Conditional Settlement - Sentencing set on Wednesday, September 06, 2017 at 8:30 AM in Dept. 2.

Defendant ordered to be present at next hearing.

Defendant to provide proof. Proof of: Counseling sessions

Defendant remains on Own Recognizance.

Minutes of Clerk Entered By. Data Entry: R. Arreola

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
CENTRAL DIVISION

FILED

NOV 24 2015

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff

vs.

Khoi Manh Le

Defendant(s)

COMPLAINT - CRIMINAL
Amended BY *[Signature]* DEPUTY
MISDEMEANOR COMPLAINT

COURT CASE NO. *M* 15931281

SEARCH WARRANT NO.

DA FILE NO. 2015M27231

Agency: Fresno Police Department

Agency Report Number: 15-49639

Defendant
Khoi Manh Le

Birth Date
01/04/1973

JID

Booking No.

AW CIF 5,000

Personally appeared before me, who first being duly sworn, complains and alleges: *3/6/17*

Amended COUNT 1 *per TT*
Harassment On or about July 6, 2015, in the above named judicial district, the crime of ~~CHILD~~
~~MOLESTING~~, in violation of PENAL CODE SECTION ~~261.6(a)~~, a misdemeanor, was committed by
Khoi Manh Le, who did unlawfully ~~annoy and molest a child~~, Jane Doe, under the age of eighteen
years. *send multiple annoying messages via electronic device to* *Repeated*

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Conviction of this offense as a felony will require you to provide two specimens of blood, a saliva sample, right thumbprints, and a full palm print impression of each hand pursuant to Penal Code section 296."

All of which is contrary to the form, force, and effect of the Statute in such case made and provided, and against the peace and dignity of the people of the State of California.

* * * * *

Pursuant to Penal Code Sections 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.



SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO 1100 Van Ness Avenue Fresno, California 93724-0002	FOR COURT USE ONLY <div style="text-align: center; font-size: 2em; font-weight: bold; letter-spacing: 5px;">FILED</div> <div style="text-align: center; margin-top: 5px;">MAR 16 2017</div> <div style="text-align: center; margin-top: 5px;">FRESNO COUNTY SUPERIOR COURT</div> <div style="text-align: center; margin-top: 5px;">By _____ PA DEPUTY</div>
PLAINTIFF: PEOPLE OF THE STATE OF CALIFORNIA DEFENDANT: <u>Khoi Le</u>	CASE NUMBER: <u>M15931231</u>
MISDEMEANOR ADVISEMENT, WAIVER OF RIGHTS, AND PLEA FORM	

I understand the **nature of the charges** against me and I request to withdraw my plea(s) of not guilty and now plead ☐ GUILTY
☒ **NO CONTEST** to the following violation(s) of law (list counts, code sections, priors, and any conditions of the plea):

653 m(b), post plea Diversion. Case to be dismissed after 6 months if a continues counseling & sustains no new arrests.

KML

RIGHT TO AN ATTORNEY:

I understand I have the right to be represented by an attorney at all stages of the proceedings, and if I am unable to afford an attorney, the court will appoint one for me.

1. I have had enough time to discuss my case and all possible defenses with my attorney KML
2. I GIVE UP MY RIGHT to have an attorney represent me. ☒

CONSTITUTIONAL RIGHTS:

I understand I am presumed innocent and the State is required to prove me guilty beyond a reasonable doubt. I also understand that I have the following constitutional rights as to all matters charged against me:

I understand this right I give up this right

1. The right to a speedy, public JURY or COURT TRIAL. KML
2. The right to be CONFRONTED by WITNESSES against me; that is, to see, hear and question all witnesses against me. KML
3. The right to NOT INCRIMINATE MYSELF; that is, not to be compelled to testify against myself though I may testify if I choose to do so. KML
4. The right to PRESENT EVIDENCE at no cost to me and to have the court issue subpoenas to bring into court all witnesses and evidence favorable to me. KML

KML

KML

KML

KML

KML

KML

KML

KML

CONSEQUENCES OF PLEA OF GUILTY OR NO CONTEST: I understand:

1. If I am presently on parole, postrelease community supervision, mandatory supervised release, or probation, my change of plea could be a reason for finding me in violation of my parole, postrelease community supervision, mandatory supervised release, or probation. KML
2. If I am not a **citizen**, my change of plea can result in my deportation, exclusion from admission to the United States, and/or a denial of naturalization. **Deportation may be mandatory for this offense.**
 I have fully discussed this matter with my attorney and understand the serious immigration consequences of my plea. KML
3. The maximum sentence I can receive as a result of my plea 6 months KML
4. Other possible consequences of this plea will include a restitution fine of \$100 to \$1000, and may include (e.g. registration): KML

5. The facts on which I base my plea are: stipulate to police reports ☒
6. I am entering my plea freely and voluntarily without fear or threat to me or anyone closely related to me. ☒
7. The matter of probation and sentence is to be determined solely by the Court. ☒
8. I understand that I have the right to wait a minimum of six hours, and up to five days to be sentenced. I give up this right and agree to be sentenced at this time. ☒
9. I understand that I may be required to provide buccal swab samples and any blood specimens or other biological samples required for law enforcement identification analysis. ☒

I declare under PENALTY OF PERJURY, under the laws of the State of California, that I have read, understood, and initialed each item above, and everything on this form is true and correct.

Date: 3-1-17

Signed: [Signature]
(Defendant)

WAIVER OF PRESENCE/JUDGE

I hereby waive my right to be present and I authorize my attorney to enter the plea on my behalf. I agree to be sentenced at the time the plea is entered. I authorize my attorney to accept the court's orders and conditions on my behalf, if any, imposed on me.

I understand that I have the right to enter my plea before and be sentenced by a judge. I give up this right and agree to be sentenced by a temporary judge.

Date: 3-9-17

Signed: [Signature]
(Defendant)

ATTORNEY'S STATEMENT

I am the attorney of record for the defendant and have reviewed this form with my client. I have explained to the defendant of his/her rights and answered all of the defendant's questions with regard to this plea. I have discussed the facts the case with the defendant, and explained the consequences of this plea, the elements of the offense(s), and the possible defense(s). I concur with this plea and the defendant's decision to waive his/her constitutional rights.

Date: 3-6-17

Signed: [Signature]
(Attorney for Defendant)

INTERPRETER'S STATEMENT (IF APPLICABLE)

I, _____, have been duly sworn and have truly translated this form to the defendant in the _____ language. The defendant indicated that (s)he understood the contents of the form, and (s)he has initialed the form.

Date: _____

Signed: _____
(Court Interpreter)

COURT'S FINDINGS AND ORDER

The Court, having reviewed this form and having questioned the defendant concerning the defendant's constitutional rights, accepts the defendant's plea(s) and the factual basis for the plea(s), and finds that the defendant has expressly, knowingly, understandingly, and intelligently waived his/her constitutional rights. The Court finds that the defendant's plea(s) is freely and voluntarily made with an understanding of the nature and consequences of the plea(s). The defendant is convicted on the basis of his/her plea(s).

The Court orders this form filed and entered in this case.

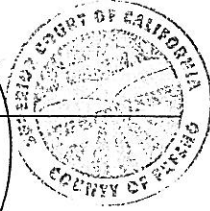
Date: 3/6/17

Signed: [Signature]
(Judge of Superior Court)

Subscribed and sworn to before me on

DATE: 11/24/15
Attest: _____

DEPUTY CLERK



COMPLAINANT

Sydney #1492