

**SUPERIOR COURT OF THE STATE OF CALIFORNIA,  
COUNTY OF ORANGE**

**DOCKET REPORT**

Case : SA151929PE I A

Name : Calhoon, [REDACTED]

Date of Action	Seq Nbr	Code	Text
01/27/10	1	FLDOC	Original Citation filed on 01/27/2010 by Santa Ana Police Department.
	2	DFADD	Name recorded: Calhoon [REDACTED]
	3	FLCNT	INFRACTION charge of 21453(a) VC filed as count 1. Date of violation: 01/21/2010.
01/28/10	1	DFPRI	1 assessable priors returned from DMV.
01/29/10	1	NTSNT	Courtesy Notice sent.
04/12/10	1	CLCST	Arraignment set on 04/14/2010 at 08:30 AM in Department C47.
	2	TXKPW	Keep with companion cases(s) 09CM06808.
04/14/10	1	HHELD	Hearing held on 04/14/2010 at 08:30:00 AM in Department C47 for Arraignment.
	2	OFJUD	Officiating Judge: Jacki Brown, Judge
	3	OFJA	Clerk: S. Ferrel
	4	OFBAL	Bailiff: D. Ratanapratum
	5	OFREP	Court Reporter: None
	6	APDWPD	Defendant present in Court with counsel Nina Anil Patel, Public Defender.
	7	TEXT	Request for a Continuance filed in 09CM06808.
	8	CLCON	Arraignment continued to 06/08/2010 at 08:30 AM in Department C47 at request of Defense.
	9	WVRAT	Defendant waives the right to be arraigned today.
	10	DFOTR	Defendant ordered to return.
05/12/10	1	CLADD	Case calendared on 05/12/10 at 1:30 PM in C54 for ARGN.
	2	HHELD	Hearing held on 05/12/2010 at 01:30:00 PM in Department C54 for Arraignment.
	3	OFJUD	Officiating Judge: Carmen Luege, Commissioner
	4	OFJA	Clerk: P. Knapp
	5	OFBAL	Bailiff: Present
	6	APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
	7	WDFFP	Defendant's presence is waived pursuant to Penal Code 977(a).
	8	CLVAC	Arraignment vacated for 06/08/2010 at 08:30 AM in C47. (Entered NUNC_PRO_TUNC on 06/07/10)
	9	PLNGA	To the Original Citation defendant pleads NOT GUILTY to all counts.
	10	CLSET	Court Trial set on 06/09/2010 at 01:30 PM in Department C54.
	11	DFOTR	Defendant ordered to appear.
	12	DSROR	Court orders defendant released on own recognizance.
	13	OFMEC	Minutes entered by J. Gomez.
06/03/10	1	FITXT	AFFIDAVIT OF PREJUDICE PEREMPTORY CHALLENGE TO JUDICIAL OFFICER (Code Civ. Proc., ss 170.6) filed.

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06/03/10	2	CLCST	Motion set on 06/09/2010 at 01:30 PM in Department C54.
06/07/10	1	NUNCPT	Nunc Pro Tunc entry(s) made on this date for 05/12/2010.
	2	FITXT	Objection to Criminal Subpoena Duces Tecum filed.
06/09/10	1	HHELD	Hearing held on 06/09/2010 at 01:30:00 PM in Department C54 for Court Trial.
	2	HHELD	Hearing held on 06/09/2010 at 01:30:00 PM in Department C54 for Motion.
	3	OFJUD	Officiating Judge: Carmen Luege, Commissioner
	4	OFJA	Clerk: P. Knapp
	5	OFBAL	Bailiff.: Present
	6	APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
	7	WVDFP	Defendant's presence is waived pursuant to Penal Code 977(a).
	8	FI170	Affidavit of prejudice pursuant to Civil Code of Procedure 170.6 filed by Defense Attorney R. Allen Baylis against Carmen Luege, Commissioner.
	9	CLASN	Case assigned for trial to Department C52, Judge Peter J Wilson. Time estimate 1 days. Court Trial set on 06/09/2010 at 03:30 PM.
	10	OFMEC	Minutes entered by J. Gomez.
	11	HHELD	Hearing held on 06/09/2010 at 03:30:00 PM in Department C52 for Court Trial.
	12	OFJUD	Officiating Judge: Peter J Wilson, Judge
	13	OFJA	Clerk: J. Kelly
	14	OFBAL	Bailiff: M. La Russa
	15	APBOT	Mark Bell, Santa Ana Police Department, Law Enforcement Officer, present in court.
	16	APBOT	Officer Berg, Law Enforcement Officer, present in court.
	17	APTXT	Holly Swan, Santa Ana Police Department
	18	APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
	19	WVDFP	Defendant's presence is waived pursuant to Penal Code Section 977(a).
	20	FITXT	Defendant's Memorandum of Law in Support of Motions in Liminie to Exclude Evidence due to: 1. Failure to Comply with Subpoena Duces Tecum; 2. Failure to Comply with Evidence Code Requirements filed.
	21	MOTBY	Motion by Defense in Liminie to Exclude Evidence due to Failure to Comply with Subpoena Duces Tecum and Evidence Code Requirements
	22	MOTION	Motion argued.
	23	MOTION	Motion withdrawn.
	24	TRTXT	Holly Swan, who is custodian of records, indicated that all requirements of the subpoena duces tecum were fulfilled.

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Date of Action	Seq Nbr	Code	Text
06/09/10	25	COCRS	Subpoenaed documents received from Santa Ana Police Department on 06/09/2010 released to Defense Counsel, R. Allen Baylis for review for continued court trial tomorrow at 3:00 p.m. this date.
	26	CLCON	<b>Court Trial continued to 06/10/2010 at 03:00 PM in Department C52 upon Court's own motion.</b>
	27	DSOCN	Defendant's release on own recognizance continued.
06/10/10	1	HHELD	<b>Hearing held on 06/10/2010 at 03:00:00 PM in Department C52 for Court Trial.</b>
	2	OFJUD	Officiating Judge: Peter J Wilson, Judge
	3	OFJA	Clerk: J. Kelly
	4	OFBAL	Bailiff: M. La Russa
	5	APDCA	People represented by Teresa Judd, Deputy City Attorney, present.
	6	APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
	7	WVDFP	Defendant's presence is waived pursuant to Penal Code Section 977(a).
	8	APBOT	Officer Mark Bell, Santa Ana Police Department, Law Enforcement Officer, present in court.
	9	APBOT	Officer Gary Fratus, Law Enforcement Officer, present in court.
	10	APBOT	Officer Berg, Law Enforcement Officer, present in court.
	11	TRTXT	City Attorney, Judd addresses the Court regarding the subpoenaed documents and content on behalf of the custodian of records.
	12	TRTXT	The City objects to the defense counsel's formatting request of the subpoenaed documents due to confidentiality.
	13	TRTXT	Defense Counsel inquires regarding the speed zone survey and what the raw data was based on as well as the statutory requirement.
	14	TRTXT	Defense Counsel submits to the Court for review a sample of a survey from another case that contained more data than what has been provided.
	15	MOTBY	Motion by Defense regarding the City Attorney's Office representing themselves as "The People of the State of California".
	16	MOTION	Motion argued.
	17	TRTXT	Ryan Hodge, City Attorney, states that they have the authority to represent "The People" by the District Attorney's office and Government Codes 72193 and 41803.5a.
	18	TRTXT	The Court notes Defense Counsel's objection and reserves a ruling with respect to the City Attorney's representation capacity.
	19	TRTXT	However, the City is not currently representing themselves in the court trial as the prosecutor.
	20	MOTBY	Motion by Defense if the defendant is found guilty that Traffic School be granted.
	21	TRTXT	Defense requests discussion regarding the issue of probable cause.
	22	TRWST	<b>Witness, Officer Mark Bell, Santa Ana Police Department, sworn and testified.</b>

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Date of Action	Seq Nbr	Code	Text
06/10/10	23	TRTXT	Officer's Exhibit #1 ? 2 Single-sided pages of front and back of citation with 4 color photographs of vehicle and defendant at intersection marked for identification
	24	TRTXT	Defense objects to Officer's Exhibit - foundation is the basis for the objection and hearsay.
	25	TRTXT	Officer's Exhibit #2? Declaration of Technology signed by employee of Redflex in accordance with California Evidence Code 1561 marked for identification. The above form attests to the authentication of the data.
	26	TRTXT	Defense objects to Exhibit 2.
	27	TRTXT	Ryan Hodge, City Attorney, addresses the Court relating to the Exhibits.
	28	TRTXT	Officer's Exhibit #3 ? 4 pages of color photographs showing defendant driving the vehicle committing violation of 21453 (a) marked for identification.
	29	TRTXT	Defense objects.
	30	TRTXT	Officer's Exhibit #4 One color Soundex Photo Image Record from the Department of Motor Vehicles along with thumbprint and signature of defendant marked for identification.
	31	TRTXT	Officer's Exhibit #6 One 12 second video recorded on a CD Rom Media, showing the vehicle committing the violation marked for identification.
	32	TRTXT	Defense objects.
	33	TRTXT	Officer's Exhibit #6 Declaration of Officer Bell.
	34	TRTXT	Defense objects.
	35	TRTXT	Officer's Exhibit #7 Agreement between the City of Santa Ana and Redflex Traffic Systems, Inc. A-2002-231
	36	TRTXT	Defense objects.
	37	TRTXT	Officer's Exhibit #8 Minutes excerpt dated July 1, 2002 on City of Santa Ana letterhead.
	38	TRTXT	Defense objects.
	39	MOTBY	Motion by Defense for acquittal due to lack of evidence.
	40	MOTION	Motion argued.
	41	CLCON	<b>Court Trial continued to 06/17/2010 at 01:30 PM in Department C52 upon Court's own motion.</b>
	42	WVTIM	Defendant waives statutory time for Court Trial.
	43	DSOCN	Defendant's release on own recognizance continued.
	44	TRWOR	Witness Officer Bell ordered to return on 06/17/2010 at 01:30 PM in Department C52.
06/17/10	1	HHELD	<b>Hearing held on 06/17/2010 at 01:30:00 PM in Department C52 for Court Trial.</b>
	2	OFJUD	Officiating Judge: Peter J Wilson, Judge
	3	OFJA	Clerk: J. Kelly
	4	OFBAL	Bailiff: M. La Russa
	5	APDCA	People represented by Ryan O Hodge, Deputy City Attorney, present.

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06/17/10	6	APBOT	Officer Mark Bell, Santa Ana Police Department, Law Enforcement Officer, present in court.
	7	APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
	8	WVDFP	Defendant's presence is waived pursuant to Penal Code Section 977(a).
	9	FITXT	People's Trial Brief filed.
	10	FITXT	Defendant's Trial Brief filed.
	11	TRTXT	Discussion regarding procedural trial process.
	12	TRTXT	Discussion regarding the capacity of the City Attorney being the proper authority to represent the People.
	13	TRTXT	Defense would like time to prepare a Motion to Exclude the City Attorney's presence.
	14	TRTXT	The Court makes notice of the City Attorney's right to appear.
	15	TRTXT	City Attorney requests a copy of the Defendant's Trial Brief. Clerk gave the City Attorney a copy.
	16	COVSD	Counsel viewed subpoenaed documents received from Michael Ortiz, Custodian of Records.
	17	TRTXT	Defense Counsel indicates that there is still missing information that he had requested by subpoena.
	18	TRTXT	Defense Counsel requests a dismissal due to discovery issues.
	19	TRTXT	The Court will hear all seven infraction cases collectively and individually as stipulated by the parties.
	20	TRWRT	Officer Mark Bell, Santa Ana Police Department, previously sworn, resumes testimony.
	21	TRTXT	Discussion regarding the raw data survey documents.
	22	TRTXT	There is not an outstanding issue regarding raw data. Defense waives the issue.
	23	TRTXT	The Court gives the officer time to confer with the City Attorney before his closing argument on the infraction ticket.
	24	TRREC	At 02:36 PM, court declared a recess.
	25	TRTXT	At 2:45 p.m., all present as before.
	26	TRTXT	The officer rests his case.
	27	TRTXT	Defense Counsel requests that the Court take a moment and verify the defendant identification.
	28	TRTXT	Counsel stipulates to using the Department of Motor Vehicles photograph as identification for each defendant.
	29	TRTXT	The officer indicates the intersection of the incident for which the violation is based.
	30	TRTXT	If there is a dispute about the identity; than the defendant is required to appear, unless it is brought to the attention of the Court otherwise.
	31	TRTXT	All of the testimony of Officer Bell shall apply to all seven cases with the exception of the yellow-light time.
	32	TRTXT	No objection by defense.
	33	TRTXT	No further testimony or evidence to be presented.

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Date of Action	Seq Nbr	Code	Text
06/17/10	34	TRTXT	Defense counsel objects to the document with regard to the contract with the City and Redflex as hearsay.
	35	TRTXT	Discussion regarding briefs filed.
	36	TRTXT	The Defense Counsel indicates that he will file a motion under section 1424.
	37	TRTXT	Defense brief is due on or before 07/02/10 and the City's response shall be due on or before 07/16/10.
	38	CLSET	<b>Motion set on 07/21/2010 at 01:30 PM in Department C52.</b>
	39	TRTXT	Each of the prospective briefs received today and filed in the SA151929pe - Calhoon case will apply to all seven cases.
	40	TRREC	At 03:24 PM, court declared a recess.
07/02/10	1	FITXT	DEFENDANT'S MOTION TO DISQUALIFY SANTA ANA CITY ATTORNEY AS PROSECUTOR FOR THE PEOPLE OF THE STATE OF CALIFORNIA. filed.
07/16/10	1	FITXT	OPPOSITION TO DEFENDANTS MOTION TO DISQUALIFY SANTA ANA CITY ATTORNEY AS PROSECUTOR FOR THE PEOPLE OF THE STATE OF CALIFORNIA filed.
07/21/10	1	HHELD	<b>Hearing held on 07/21/2010 at 01:30:00 PM in Department C52 for Motion.</b>
	2	OFJUD	Officiating Judge: Peter J Wilson, Judge
	3	OFJA	Clerk: J. Kelly
	4	OFBAL	Bailiff: J. Smith
	5	APDCA	People represented by Ryan O Hodge, Deputy City Attorney, present.
	6	APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
	7	FITXT	Response to Santa Ana City Attorney's Opposition to Defendant's Motion to Disqualify as Prosecutor for the People filed.
	8	FITXT	Defense Supplemental Trial Brief filed.
	9	TRIOC	In open court at 01:57 PM
	10	CORAC	Court read and considered moving papers, opposition, and response to opposition.
	11	MOTION	Motion argued.
	16	TEXT	The Court ruling is attached and incorporated in this minute order.
	17	CLSET	<b>Hearing set on 08/18/2010 at 01:30 PM in Department C52.</b>
	18	CLTXT	<b>City Attorney - brief due 08/04/10 and response (if any) to Defense supplemental trial brief.</b>
	19	CLTXT	<b>Defense- brief due 08/11/10.</b>
	20	MOTION	Motion denied.
	21	CPGTO	Copy of this minute order mailed to parties.
08/04/10	1	FITXT	PEOPLE'S RESPONSE TO SUPPLEMENT TO DEFENDANTS' TRIAL BRIEF filed.
08/18/10	1	HHELD	<b>Hearing held on 08/18/2010 at 01:30:00 PM in Department C52 for Hearing.</b>

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
Name : Calhoon, [REDACTED]

Date of Action	Seq Nbr	Code	Text
08/18/10	2	OFJUD	Officiating Judge: Peter J Wilson, Judge
	3	OFJA	Clerk: J. Kelly
	4	OFBAL	Bailiff: M. La Russa
	5	APDCA	People represented by Ryan O Hodge, Deputy City Attorney, present.
	6	APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
	7	WVDFP	Defendant's presence is waived pursuant to Penal Code Section 977(a).
	8	CLCON	<b>Hearing continued to 08/19/2010 at 01:30 PM in Department C52 by stipulation of all parties.</b>
	9	CLTXT	<b>Counsel are engaged in other matters in C48.</b>
	08/19/10	1	HHELD
2		OFJUD	Officiating Judge: Peter J Wilson, Judge
3		OFJA	Clerk: J. Kelly
4		OFBAL	Bailiff: M. La Russa
5		APDCA	People represented by Ryan O Hodge, Deputy City Attorney, present.
6		APNDC	Defendant not present in Court represented by R. Allen Baylis, Retained Attorney.
7		WVDFP	Defendant's presence is waived pursuant to Penal Code Section 977(a).
8		TRRSC	In the cause previously taken under submission, the court now rules as follows:
9		CLTXT	<b>Formal Ruling is incorporated and attached to this minute order signed and dated 08/19/10.</b>
10		CDCAS	Case dismissed - pursuant to Penal Code 1385 - Furtherance of justice.
11		CPGTO	Copy of this minute order and ruling mailed to City Attorney's Office, and Attorney R.A. Baylis.
12		TRERT	<b>People's Exhibit # 1-8 returned to City of Santa Ana Police Department - Officer Bell.</b>
13		DMDEL	DMV Request Deleted. DMV interface DD1 request deleted - No violations to report
08/22/10	1	CSCLS	<b>Case closed.</b>

# NOTICE OF TRAFFIC VIOLATION

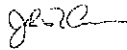
The City of Santa Ana Police Department

**NOTICE TO APPEAR** Automated Traffic Enforcement SA151929PE

DATE OF VIOLATION January 21, 2010		TIME 8:20	
NAME (FIRST, MIDDLE, LAST) [REDACTED] CALHOON			
ADDRESS [REDACTED]			
CITY [REDACTED]		STATE CA	ZIP CODE [REDACTED]
DRIVER LIC. NO. [REDACTED]	STATE CA	CLASS C	COMMERCIAL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
AGE 45	BIRTH DATE [REDACTED]		
SEX M	HAIR BLOND OR STRA	EYES HAZEL	HEIGHT [REDACTED]
WEIGHT [REDACTED]			
VEH. LIC. NO. [REDACTED]		STATE CA	<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b))
YR. OF VEH. 1990	MAKE DODGE	BODY STYLE VAN	COLOR [REDACTED]
<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)			
REGISTERED OWNER OR LESSEE [REDACTED] CALHOON			
ADDRESS [REDACTED]			
CITY [REDACTED]		STATE CA	ZIP CODE [REDACTED]
CODE AND SECTION VC 21453(a)		DESCRIPTION Failure to Stop at Red Light	
LOCATION OF VIOLATION At Bristol & Edinger			
<input checked="" type="checkbox"/> VIOLATION WAS NOT COMMITTED IN MY PRESENCE. THE ABOVE IS DECLARED ON INFORMATION AND BELIEF AND IS BASED ON PHOTOGRAPHIC EVIDENCE. <input type="checkbox"/> I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FOREGOING IS TRUE AND CORRECT.			
27-Jan-10 DATE ISSUED	RICARDO DIAZ DECLARANT	 SIGNATURE	2587 ID NO
YOU MUST RESPOND TO THE COURT ON OR BEFORE:		Clerk's Office Hours:	
WHEN: 15-Mar-10		Monday - Friday 7:30 AM - 5:00 PM	
		Night Court: First and Third Tuesday of Each Month 4:00 PM - 6:00 PM	
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.			
WHERE: The Superior Court of California 700 Civic Center Dr. West Santa Ana, CA 92702 714-449-8100			
Notice to Appear form approved by the Judicial Council of California Rev. 09-20-05 (Veh. Code, § 40518)		SEE REVERSE TR-115	

## Certificate of Mailing

I, JOHN CAMERON of Redflex Traffic Systems Inc., 23751 N. 23rd Avenue, Suite 150, Phoenix, Arizona 85085-1854, do certify that I am over 18 years old and not a party to the above entitled case. On Wednesday, January 27, 2010, I placed this Notice to Appear in an envelope addressed to the registered owner, lessee, or identified driver as shown above, sealed it, and deposited the envelope in a United States Postal Service receptacle located at the United States Postal Service office in Phoenix, Arizona. In the ordinary course of business, the envelope is sealed, affixed with proper postage, and mailed. I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Dated: 27-Jan-10 JOHN CAMERON (Code of Civil Procedure 1013a(3), 2015.5)

[REDACTED] CALHOON

[REDACTED] CA [REDACTED]