

EXHIBIT 56

J2411H1
MARIN CJIS
ORGANIZATION: SC

SUPERIOR COURT CRIMINAL
IN AND FOR THE COUNTY OF MARIN

12/12/01
16:50

CASE NO. SC120916 A DATE: 12/12/01 TIME: 01:36 PM DEPT.: J

PEOPLE VS. GAGE, LATISHA SHAUNA
BOOKED AS: GAGE, LAKISHA SHAUNA

JUDGE: VERNA A ADAMS, JUDGE CLERK: MS KING
REPORTER: VICTORIA DUBIEL BAILIFF:

NATURE OF PROCEEDINGS: PRELIMINARY HEARING

CHARGES: 2. PC 484F(A)

DEPUTY DISTRICT ATTORNEY B. BORDEN APPEARED.

DEFENDANT APPEARED WITH DEPUTY PUBLIC DEFENDER M. DAVIS.

DEFENDANT IN CUSTODY ON THIS CASE.

NEGOTIATED DISPOSITION STATED FOR THE RECORD.

AMENDED CHARGING DOCUMENT FILED.

CHARGING DOCUMENT AMENDED AS TO COUNT 2 : FELONY,
VIOLATION OF PC 484F(A).

COPY OF CHARGING DOCUMENT PROVIDED TO DEFENDANT.

DEFENDANT WAIVED READING OF AMENDED CHARGING DOCUMENT
AND FURTHER ADVISAL OF CONSTITUTIONAL RIGHTS.

DEFENDANT INFORMED OF THE CHARGE(S) ALLEGED.

DEFENDANT'S SIGNED WAIVER OF RIGHTS, COURT'S FINDINGS
AND ORDER FILED AND INCORPORATED HEREIN BY REFERENCE.

DEFENDANT ORALLY STATES THAT HE HAS READ AND UNDERSTANDS
THE ACKNOWLEDGEMENT OF WAIVER OF RIGHTS FORM, AND THE
MAXIMUM AND MINIMUM PENALTIES FORM, WHICH HE HAS SIGNED.

DEFENDANT ADVISED CHARGES DISMISSED WITH HARVEY WAIVERS
COULD BE CONSIDERED AT SENTENCING.

FACTUAL BASIS STATED BY THE PEOPLE.

CHANGE OF PLEA

PAGE 1

CASE NO. SC120916 A DATE: 12/12/01 TIME: 01:36 PM DEPT.: J
PEOPLE VS. GAGE, LATISHA SHAUNA

DEFENDANT ADVISED MAXIMUM SENTENCE THAT COULD BE IMPOSED

ADVISED SHE WOULD BE REQUIRED TO PAY FINES, FEES AND
RESTITUTION.

DEFENDANT ADVISED OF PROVISIONS OF PC 1016.5.

DEFENDANT IS ADVISED OF APPEAL RIGHTS.

DEFENDANT ADVISED CONVICTION OF THIS OFFENSE COULD CAUSE
ANY CURRENT PROBATION OR PAROLE TO BE MODIFIED OR
REVOKED.

THE COURT INFORMS DEFENDANT OF LEGAL AND CONSTITUTIONAL
RIGHTS.

DEFENDANT AGREES THERE HAVE BEEN NO PROMISES OR THREATS
OTHER THAN THOSE STATED TO CAUSE HER TO CHANGE HER PLEA.

READING OF CHARGING DOCUMENT WAIVED.

THE DEFENDANT ENTERED A PLEA TO COUNT 2, VIOLATION OF PC
484F(A), PURSUANT TO PC 859A, OF GUILTY

COURT FINDS THAT THERE IS A FACTUAL BASIS FOR THE PLEA.

THE COURT FINDS THE PLEA IS INTELLIGENTLY, KNOWINGLY AND
VOLUNTARILY MADE.

DEFENDANT WAIVES TIME FOR SENTENCING.

THE DEFENDANT, HAVING ENTERED A PLEA OF GUILTY PURSUANT
TO PC 859A, IS HEREBY CERTIFIED TO THE SUPERIOR COURT
FOR SENTENCING. CAUSE IS REFERRED TO THE PROBATION
DEPARTMENT FOR PRESENTENCE INVESTIGATION AND REPORT,
RETURNABLE ON 01/23/2002 AT 9:00 A.M. IN SUPERIOR COURT,
D- J, TO WHICH TIME PRONOUNCEMENT OF JUDGMENT IS
CONTINUED.

COUNT 1 DISMISSED ON MOTION OF PEOPLE WITH A HARVEY
WAIVER.

DISMISSED COUNT(S) MAY BE CONSIDERED AT TIME OF
SENTENCING IN RE: HARVEY.

CHANGE OF PLEA

PAGE 2

CASE NO. SC120916 A DATE: 12/12/01
PEOPLE VS. GAGE, LATISHA SHAUNA

TIME: 01:36 PM

DEPT.: J

FINGERPRINT CARD FILED.

ENTERED ON CJIS BY FK, DATE 12/12/2001.

MARIN COUNTY SUPERIOR COURT
PRELIMINARY HEARING MINUTES

CASE NO. SC120916A DATE 12.12.01 TIME 1336
 NAME Latisha Shauna Hays JUDGE _____ DEPT J
 ADDRESS _____ RPTR Daniel
 _____ CLERK Key
 CHARGES PC459 DA Barker

FDSPT ☐ Stipulated to Judge pro term hearing matter.
 APWOC ☐ Defendant appeared without counsel.
 APWAT ☒ Defendant appeared with attorney M. Davis ☐ Crt. apptd.
 TNOKE ☐ Defendant answers to true name as charged.
 INTSA ☐ Interpreter _____ as _____ language.

PRELIMINARY HEARING HELD

MOXW ☐ Motion to exclude witnesses granted with exception of investigating officer. Motion made by:
 A ☐ prosecution B ☐ defense
 MOSU ☐ Motion to Suppress pursuant to PC 1538.5 is
 A ☐ granted as to Ct(s) _____ B ☐ denied C ☐ submitted
 TRWIP ☐ Witness sworn and testified for the people:

TRWID ☐ Witness sworn and testified for the defense:

TREXA ☐ _____ exhibit(s) entered in evidence
 TREXB ☐ _____ exhibit(s) marked for identification
 TREXC ☐ _____ exhibit(s) marked and admitted in evidence
 MIEXL ☐ Exhibit list incorporated herein by reference.
 CDHTB ☐ The Court finds sufficient cause to believe that the named defendant has committed the offense charged and orders the defendant held to answer to the charges in the Superior Court as to Count _____
 CDC_ ☐ Allegation No. _____ in Ct. _____ FT ☐ found true NT ☐ not true
 SHOTB ☐ Continued to _____ at _____ in _____ Court D- _____ for _____
 APDFA ☐ Defendant to personally appear.

PRELIMINARY EXAMINATION WAIVED

WHPH ☐ Preliminary hearing waived as to Count _____ by: A ☐ defendant B ☐ prosecution
 Court orders defendant held to answer to charges.
 SHASC ☐ Defendant set for arraignment in Superior Court on _____ at _____ in _____ Court D _____

PLEA OF GUILTY - CERTIFICATION

SH859 ☒ The defendant, having entered a plea of guilty pursuant to PC 859a, is hereby certified to Superior Court for sentencing. Referred to Probation Department for presentence report returnable on 1-23-02 at 900
 in SC Court D J
 PL59 ☒ The defendant entered a plea to Count 2, violation of 484(F)(A)
 pursuant to PC 859a of:
 C ☒ GUILTY D ☐ Nolo contendere. Defendant found guilty by the Court.
 CDF_ ☒ Count 1 dismissed on motion of AA ☐ Court BA ☒ DA Reason: Attorney's fee
 PRRPT ☐ Defendant to report to the Probation Department forthwith.
 MITRN ☐ Reporter's transcript ordered.
 CDMSC ☐ Misdemeanor alleged in Count _____ certified to Superior Court.
 CDINF ☐ Infraction alleged in Count _____ certified to Superior Court.

CHARGES REDUCED TO MISDEMEANOR / FELONY ADDED

AMACD ☐ Complaint amended as to Count _____; misdemeanor pursuant to PC 17; violation of _____
 AMBAD ☐ Complaint amended to add Count _____; Felony, violation of _____

BAIL INFORMATION

CSCUS ☒ In custody on this case
 CSFRC ☐ Released of OR
 CSFRB ☐ To remain custody of Dept. of Corrections
 BBSET ☐ Bail set at \$ _____
 CSFRH ☐ _____
 CSFRK ☐ Remain on bail release
 BBRAS ☐ Bail to remain as set

Deena A. Adams

Judge/Commissioner Marin County Superior Court

Date

MARIN COUNTY SUPERIOR COURT

THE PEOPLE OF THE STATE OF CALIFORNIA

vs. LATISHA SHAYNA GAGE

No. SC120916A

PLEA OF GUILTY

~~Nolo Contendere~~

I am the defendant in the above-entitled action, and I declare as follows:

My attorney in this action is MARK B. DAVIS

I am charged with having violated PC 459 - Count 1; PC 484F(a) - Count 2

(Set forth Code Sections(s) and Count(s))

I desire to plead guilty/~~nolo contendere~~ to PC 484F(a) felony - Count 2

(Set forth Code Section(s) and Count(s), including lesser to which plea is made.)

1. I understand the nature of the charges(s) against me.

L.G.

(initials)

2. I have discussed the nature of the charge(s) against me and the possible defenses thereto with my attorney, I understand that I have a right to plead: (a) not guilty; (b) not guilty by reason of insanity; (c) guilty; or (d) that I do not wish to defend against the charge(s) (~~nolo contendere~~).

L.G.

(initials)

3. My attorney has explained by constitutional rights to me; I have had adequate time to discuss the case with my attorney and I have advised my attorney of all the facts and circumstances of the case. I understand that I have a right to a jury trial, a right to a speedy and public trial; a right not to make any statements which tend to incriminate me; a right to produce witnesses and evidence on my behalf, a right to confront my accuser(s); a right to confront and cross-examine witnesses against me. I waive (give up) my right to a jury; my right against self-incrimination; my right to confront my accuser(s); my right to a speedy and public trial; my right to produce witnesses and evidence on my behalf; and my right to confront and cross-examine witnesses against me. I further understand that I have these same constitutional rights with respect to any prior convictions, enhancements and special allegations which are set forth in the information. I also waive my constitutional rights with respect to such prior convictions, enhancements and special allegations set forth in the information.

L.G.

(initials)

4. I also understand that I have a right to appeal from the judgment of this court. I waive my right of appeal and my right to attack the final judgment by any statutory or non-statutory means except as to any sentencing error the court may make.

L.G.

(initials)

5. My decision to plead guilty/~~nolo contendere~~ has been made freely and voluntarily, without threat or fear to me or to anyone closely related to me or associated with me.

L.G.

(initials)

6. My attorney has explained the possible sentence and sanctions which could be imposed as a result of my plea of guilty/~~nolo contendere~~. I understand that as a result of my plea of guilty/~~nolo contendere~~ I may be sentenced and sanctioned as follows:

16 months or 2 years or 3 years State Prison. If probation is granted, up to one year Marin County Jail.

L.G.

(initials)

7. I further understand that I will be subject to a period of parole not to exceed 3 years, and I may be returned to prison for an additional 12-month term of imprisonment for each parole violation, not to exceed a maximum of 4 additional years in prison.

L.G.

(initials)

8. I further understand that if I am not a citizen of the United States, the offense for which I have been charged may have the consequences of deportation and exclusion from admission to the United States and denial of naturalization pursuant to the laws of the United States.

L.G.

(initials)

9. I understand that as a further consequence of my plea of guilty to specified offenses involving sexual assault or narcotics offenses, I will be required to register with local police agencies as a (narcotics or sex)* offender as required by (Penal Code section 290/Health & Safety Code section 11590*).

(initials)

10. I further understand that as a further consequence of my plea of guilty to specified arson offenses I may be required to register with local police agencies as an arson offender as required by Penal Code section 457.1.

(initials)

11. I further understand that my plea of guilty may be used as evidence against me with respect to any forfeiture of any property that may be seized in connection with the investigation giving rise to these charges against me.

(initials)

12. I further understand that if I was on parole or probation at the time of this offense that my plea of guilty may be the basis for the revocation of my parole/probation.

(initials)

13. I understand that a further consequence of my plea of guilty is that the court is required to order restitution to the victim(s), and, if there is/are no victim(s), the court must order the payment of not less than \$200 or more than \$10,000 to the State Restitution Fund per Penal code section 1203.04. The court must also order a restitution fine of not less than \$200 or more than \$10,000 per Penal Code section 1202.4(b).

(initials)

14. I understand that further consequences of my plea of guilty to narcotics offenses may include a fine of not less than \$1,000 nor more than \$20,000, as provided for in Health & Safety Code section 11372(a); payment of a criminal laboratory analysis fee of \$50 for each offense (Health & Safety Code section 11372.5); a drug program fee not to exceed \$150 for each offense (Health & Safety Code section 11372.7(a)); a mandatory drug program fee not to exceed \$150 for each offense (Health & Safety Code section 11372.7(c)) and mandatory drug treatment or education programs if I am granted probation (Health & Safety Code section 11373).

(initials)

15. I have not taken any drugs or consumed any alcoholic beverages within 24 hours prior to entering this plea, except _____, which does not in any way affect my ability to understand the waivers I have given or my knowing and voluntary decision to plead guilty. I am not impaired at this time by any drug or alcoholic beverage.

(initials)

16. I understand that as a further consequence of my plea, additional fines of \$10,000.00 can be imposed.

(initials)

17. I have not been induced to plead guilty/not contendere* by any promise or representation of a lesser sentence, probation, reward, immunity, or anything else. The only promises and representations made to me are as follows:

The District Attorney will dismiss Count 1 with a Harvey waiver, and the DA agrees not to file charges against me relative to MCSO case number SO 01-5635 with my agreement that the Court can order restitution relative to MCSO case number SO 01-5635 and that the Court may consider the facts of that case in deciding my sentence in this case, SC120916A.

(initials)

18. I understand that the matter of probation and sentence is to be determined solely by the Court. If the Court does not agree with any of the promises or representations stated above, I understand that I will be allowed to withdraw my guilty/not contendere* plea and proceed to trial.

(initials)

DATED: 12, 12, 01 at San Rafael, California
(initials)

Date of Birth: [REDACTED]

X [Signature]
(Defendant's signature)

My mailing address is MCT
(Street) (City/Zip Code)

My telephone number is _____

I shall notify the Probation Department within 48 hours of any change of my mailing address or phone number.

Dakisha
(Defendant's signature)

I am the above named defendant's attorney in the above-entitled criminal action; I have personally read and explained the contents of the above declaration to the defendant; I personally observed the defendant read, date and sign said declaration and I have made an independent examination of the facts and law applicable to said criminal action. I concur in the defendant's plea of guilty/~~not a contender~~* to the charge(s) as set forth above. Defendant stipulates there is a factual basis for the guilty/~~not a contender~~* plea(s).

Dated: 12 / 12 / 01 at San Rafael, California

Mark B. Davis
(Attorney's Signature)

The People of the State of California, plaintiff in the above-entitled action, by and through its attorney, Paula Freschi-Kamena, District Attorney, concurs in the defendant's plea of guilty/~~not a contender~~* as set forth by the defendant in the above declaration. The People stipulate there is a factual basis for the plea.

Paula Freschi Kamena, District Attorney

Dated: 12 / 12 / 01 at San Rafael, California

By *Brian J. Buz*
(Deputy District Attorney)

INTERPRETER'S CERTIFICATION

I AM A CERTIFIED COURT INTERPRETER FOR THE DEFENDANT. The information contained on this form has been translated from English into _____

Dated: / / at , California

(Interpreter)

Defendant personally and by his attorney, in open Court, having entered a plea of guilty/~~not a contender~~*, said plea will be accepted and ordered to be entered. The Court finds that said plea of guilty/~~not a contender~~* has been knowingly, intelligently and voluntarily made by the defendant.

Dated: 12 / 12 / 01

Verma A. Adams
(Judge of the Superior Court)

*Strike out inapplicable words.