SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DEPT 100

Date:	August 31, 2021				
Honorable:	WILLIAM C. RYAN	Judge	S. KADOHATA	Deputy Clerk	
	NONE	Bailiff	NONE	Reporter	

BH013600
(Underlying Criminal Case No.: BA011487)

(Parties and Counsel checked if present)

RENE ENRIQUEZ,

Counsel for Petitioner:

Petitioner,
On Habeas Corpus

Counsel for Respondent:

Nature of Proceedings: MEMORANDUM OF DECISION (HABEAS CORPUS)

IN CHAMBERS

Petition for Writ of Habeas Corpus by Petitioner Rene Enriquez, represented by Jacob J. Hutt, Esq. Respondent, the Governor of the State of California, represented by Deputy Attorney General Jennifer O. Cano. Granted.

BACKGROUND

In 1993, Petitioner was convicted of two counts of second degree murder (Pen. Code, § 187) and assault with a firearm (Pen. Code, § 245). He was sentenced to two concurrent terms of 15 years to life for each of the two second degree murder counts, plus a concurrent term of 20 years to life for assault with a firearm. Petitioner's minimum eligible parole date was March 11, 2004. He is currently serving his sentence at Ironwood State Prison in Blythe, California.

On May 6, 2020, the Board of Parole Hearings (Board) convened a subsequent parole suitability hearing for Petitioner. For the fifth consecutive time, the Board found Petitioner suitable for parole, this time based on his low risk for future violence, participation in self-help programming, lack of institutional misconduct for the past 15 years and lack of violent behavior for 23 years, insight, acceptance of responsibility, and concrete, realistic parole plans. (Hearing Transcript (HT), dated May 6, 2020, at pp. 131-133, attached to Petition as Ex. C.)

On September 18, 2020, the Governor reversed the Board's grant of parole based on Petitioner's criminal history and prior record of violence, lack of credibility and insight, and psychological assessment.

(Indeterminate Sentence Parole Release Review (Reversal), dated Sept. 18, 2020, at pp. 1-3, attached to Petition as Ex. H.)

On April 27, 2021, Petitioner filed the instant petition for writ of habeas corpus challenging the Governor's reversal. Petitioner contends the Governor's reversal violated Petitioner's due process rights because no evidence in the record supported the Governor's suitability determination. (Petition at p. 22.)

On May 17, 2021, the court issued an order to show cause why the relief requested should not be granted. On July 28, 2021, Respondent filed a return, and on August 20, 2021, Petitioner filed a traverse. The court took the matter under submission after the filing of the traverse.

SUMMARY

Having independently reviewed the record and giving deference to the broad discretion of the Governor in parole matters, the court concludes the record does not contain "some evidence" to support the determination that paroling Petitioner currently poses an unreasonable risk of danger to public safety. Thus, the Petition challenging the Governor's reversal must be granted.

COMMITMENT OFFENSE

In 1985, while serving a prior prison term for forcible rape and armed robbery, Petitioner joined the Mexican Mafia. Over time, Petitioner became a leader in the gang. In 1989, Petitioner came to believe that a woman named Cynthia Galvadon, who worked for him as a drug dealer, was stealing from him. Petitioner instructed a fellow gang member to kill Galvadon and gave him a gun. On Petitioner's orders, the gang member executed her, shooting her once in the head and once in the chest.

A week after Galvadon was executed, Petitioner attempted to kill David Gallegos, a Mexican Mafia member who had fallen into disfavor with the gang, by injecting him with heroin multiple times in an attempt to

cause an overdose. When this was unsuccessful, Petitioner drove Gallegos to an industrial area and shot him numerous times, killing him.

In 1991, Petitioner, Benjamin Peters, and Salvador Buenrostro were handcuffed together in an attorney room at the Los Angeles County Jail. Petitioner and Peters used makeshift keys to remove their handcuffs. They then used metal shanks to repeatedly stab Buenrostro until officers were able to subdue them. Buenrostro was stabbed 26 times but survived. (HT at pp. 22-23; 27-27-31, 33; Comprehensive Risk Assessment (CRA), dated Apr. 3, 2020, at pp. 7-8, attached to Petition as Ex. E; 2020 Board of Parole Hearings Master Packet, at pp. 1-5, attached to Petition as Ex. A.)

APPLICABLE LEGAL PRINCIPLES

The Governor is constitutionally authorized to make "an independent decision" as to parole suitability. (Cal. Const., art. V, § 8, subd. (b); *In re Rosenkrantz* (2002) 29 Cal.4th 616, 660.) His parole decisions are governed by Penal Code section 3041.2 and section 2402 of title 15 of the California Code of Regulations.[1] The Governor must consider "[a]ll relevant, reliable information available" (§ 2402, subd. (b)), and his decision must not be arbitrary or capricious. (*In re Rosenkrantz*, *supra*, at p. 677.)

Although the Governor must consider the same factors as the Board, he may weigh them differently. (*In re Prather* (2010) 50 Cal.4th 238, 257, fn. 12.) The paramount consideration in making a parole eligibility decision is the potential threat to public safety upon an inmate's release. (*Id.* at p. 252.) The Governor's decision must be based upon some evidence in the record of the inmate's current dangerousness. (*In re Lawrence* (2008) 44 Cal.4th 1181, 1205–1206 (*Lawrence*).) Only a modicum of such evidence is required. (*Id.* at p. 1226.) "This standard is unquestionably deferential, but certainly is not toothless, and 'due consideration' of the specified factors requires more than rote recitation of

[1] All further undesignated statutory references are to title 15 of the California Code of Regulations.

the relevant factors with no reasoning establishing a rational nexus between those factors and the necessary basis for the ultimate decision—the determination of current dangerousness." (*Id.* at p. 1210.)

The Governor may consider all relevant reliable information in determining an inmate's suitability for parole. (§ 2402, subd. (b).) Factors tending to show unsuitability include the nature of the commitment offense, a previous record of violence, an unstable social history, sadistic sexual offenses, psychological factors, and institutional behavior constituting serious misconduct. (§ 2402, subd. (c).) Factors tending to show suitability include a lack of a juvenile record, a stable social history, signs of remorse, that the crime was committed due to significant life stress, that the criminal behavior was the result of battered woman syndrome, a lack of a history of violent crime, that the inmate's current age reduces the probability of recidivism, that the inmate has realistic plans for release or marketable skills that can be utilized upon release, and that the inmate's institutional behavior indicates an enhanced ability to be law-abiding upon release. (§ 2402, subd. (d).) The weight and importance of these factors are left to the judgment of the Board and Governor. (§ 2402, subds. (c) & (d).)

In reviewing the decision of the Governor, the court is not entitled to reweigh the circumstances indicating suitability or unsuitability for parole. (*In re Reed* (2009) 171 Cal.App.4th 1071, 1083.) Instead, "'[r]esolution of any conflicts in the evidence and the weight to be given the evidence are within the authority of the [Governor].' [Citation.]" (*Lawrence*, *supra*, 44 Cal.4th at p. 1204, quoting *In re Rosenkrantz*, *supra*, 29 Cal.4th at p. 656.) Thus, unless the inmate can demonstrate that there is no evidence to support the Governor's conclusion that the inmate is a current danger to public safety, the petition fails to state a prima facie case for relief and may be summarily denied. (*People v. Duvall* (1995) 9 Cal.4th 464, 475.)

DISCUSSION

The court finds that the record lacks some evidence to support the Governor's decision that Petitioner poses an unreasonable risk of danger to society if released on parole.

Both the Board and the Governor agree that Petitioner's participation in self-help programming, educational improvements, and assistance to law enforcement are factors in favor of Petitioner's suitability for parole. (Reversal at p. 1; HT at pp. 133-34.) In reversing the Board's decision, the Governor relied on Petitioner's criminal history and prior record of violence, purported lack of insight and credibility, and psychological assessment. (Reversal at pp. 1-2.) The reviewing court, however, is not limited to the evidence actually mentioned in the Governor's decision when determining whether a decision is supported by some evidence. (*In re LeBlanc* (2014) 226 Cal.App.4th 452, 457; *In re Shaputis* (2011) 53 Cal.4th 192, 214, fn. 11 (*Shaputis II*).) "Only when the evidence reflecting the inmate's present risk to public safety leads to but one conclusion may a court overturn a contrary decision by the … Governor. In that circumstance the denial of parole is arbitrary and capricious, and amounts to denial of due process. [Citation.]" (*Shaputis II*, *supra*, 53 Cal.4th at p. 211.) However, in reviewing a Governor's reversal of parole, the court's review is confined to the stated factors found by the Governor, and the evidence presented at the parole hearing relevant to those findings, not findings that the Governor might have made. It is inappropriate for courts to salvage the Governor's inadequate findings by inferring factors that might have been relied upon. (*In re Burdan* (2008) 169 Cal.App.4th 18, 35.) Thus, the court must examine the entire record, not just the portions cited by the Governor, in order to determine whether there is any evidence supporting the Governor's stated factors of unsuitability.

Criminal History and Prior Record of Violence

The Governor partially based his decision on Petitioner's "extensive history of violent and sexually violent behavior both in and out of custody," noting Petitioner's engagement "in a range of criminal activities, including but not limited to several armed robberies, gang rape and sodomy of a young woman, sexual assault against another inmate, and multiple murders and assaults." (Reversal at pp. 1-2.) Indeed, relevant factors in considering a life inmate's suitability for parole are the inmate's criminal history and previous record of violence. (§ 2402, subds. (b) & (c)(2).) An inmate has a prior record of violence if he "on previous occasions inflicted or attempted to inflict serious injury on a victim." (§ 2402, subd. (c)(2).)

Here, the record reflects Petitioner's history of violence prior to the life crimes, "including rape, robbery, gang-related shootings, several assaults, carrying weapons, and significant gang-related violence beginning at an early age." (CRA at p. 7.) As a juvenile, he was arrested for burglary, taking a motor vehicle without the owner's consent, and robbery. (CRA at pp. 6-7.) Prior to the life crimes, he was arrested for forcible rape, oral copulation, sodomy, kidnapping, and 15 counts of armed robbery. (CRA at p. 7.) In 1993, during his current term of incarceration, he was convicted for conspiracy to transport/sell a controlled substance and sentenced to an additional five-year consecutive term. (CRA at p. 7.)

After a long period of time, however, immutable factors such as criminal history and a prior record of violence may no longer indicate a current risk of danger to society in light of a lengthy period of positive rehabilitation. (*Lawrence, supra,* 44 Cal.4th at p. 1211.) Only in cases where other factors indicate a lack of rehabilitation—such as lack of credibility and insight or an elevated risk assessment—immutable factors reliably may continue to provide some evidence of current dangerousness. (*Id.* at p. 1228; *In re Ryner* (2011) 196 Cal.App.4th 533, 545.) As discussed *post*, due consideration of all relevant and reliable evidence of other factors that show suitability cannot support the Governor's conclusion that Petitioner currently poses an unreasonable risk of danger to society and is therefore unsuitable for parole.

Comprehensive Risk Assessment

The Governor also relied on Petitioner's psychological assessment for his decision. (Reversal at p. 2.) An inmate's psychological evaluation of his risk of future violence directly bears on his suitability for parole, but such assessment does not dictate the Governor's parole decision. (*In re Lazor* (2009) 172 Cal.App.4th 1185, 1202.)

Dr. Wendy Chan performed Petitioner's CRA on March 19, 2020. (CRA at pp. 1, 21.) Dr. Chan concluded that Petitioner presented a low risk for violence with "non-elevated risk relative to long-term parolees and well below average risk relative to shorter-term parolees released without discretion." (CRA at p. 20.) She found that with regard to clinical factors, "which reflect[] current behavior and functioning, Mr.

Enriquez displayed no predictive factors for recidivism at this time." (CRA at p. 15.) Dr. Chan found that although a number of historical risk factors were present, "the current relevance of all of these factors is low." (CRA at p. 14.) She noted that "these factors appear to be less relevant at the present time as a result of advanced age and the behavioral improvements he has accomplished while in custody." (CRA at p. 20.) Dr. Chan concluded that Petitioner "has made significant gains in his behavioral control and has not engaged in known violence or calls for violence for several years, he has moved as far away from gang participation as possible as he would not be welcome in any gang after debriefing and testifying against Mexican Mafia members. He has maintained positive institutional behavior since 2004, has worked effectively in his jobs in CDCR as well as with law enforcement officers, has openly discussed his history of childhood physical and sexual abuse, and has improved his education and participated in positive programming for many years." (CRA at pp. 14-15.)

Dr. Chan found that Petitioner met the criteria for a diagnosis of Antisocial Personality Disorder with Narcissistic Features. (CRA at p. 15.) She also found the following substance-related diagnoses appropriate: Opioid Use Disorder, moderate, in sustained remission in a controlled environment; Stimulant Use Disorder (cocaine and methamphetamine), moderate, in sustained remission in a controlled environment; Cannabis Use Disorder, mild, in sustained remission in a controlled environment; and Phencyclidine Use Disorder, mild, in sustained remission in a controlled environment. (CRA at p. 10.) Petitioner's PCL-R score was below the cutoff commonly used to identify dissocial or psychopathic personality. (CRA at p. 15.)

The Governor cited Dr. Chan's identification of Petitioner's "current risk factors for violence, including 'significant personality disorder traits, substance abuse issues, extremely negative/violent attitudes, involvement with antisocial individuals, and limited insight into these issues.'" (Reversal at p. 2; CRA at p. 20.) However, the Governor incorrectly characterized these as "current" risk factors (Reversal at p. 2), despite the fact that Dr. Chan listed them while discussing Petitioner's historical risk factors.

First, with regard to "substance abuse issues," Dr. Chan noted that substance abuse was a historical risk factor for Petitioner, but that his substance use ended in 2005. (CRA at p. 10.) Dr. Chan found that Petitioner's substance use disorders were all in sustained remission in a controlled environment. (CRA at p. 10.)

Second, although Dr. Chan identified "extremely negative/violent attitudes" as a historical risk factor (CRA at p. 20), she also clearly described Petitioner's changed current attitude, stating, "[Petitioner] has shown willingness to conform to supervision, with no evidence of aggression, impulsivity, or rebellion against authority for over a decade" (CRA at p. 15).

Third, Dr. Chan's reference to Petitioner's "involvement with antisocial individuals" was based on his past conduct, not his present behavior. (CRA at p. 20.) As Dr. Chan noted, Petitioner "disassociated from antisocial individuals and has worked to establish positive relationships with both peers, law enforcement officers, and staff." (CRA at p. 15.)

Fourth, Dr. Chan's reference to "limited insight into these issues" (CRA at p. 20) referred to Petitioner's past insight. With regard to Petitioner's current insight, Dr. Chan found that Petitioner "conveyed an understanding of the personal, interpersonal, and contextual factors that contributed to his antisocial and violent behavior." (CRA at pp. 15-16.) Dr. Chan noted that Petitioner "has discussed remorse for the harm he caused, and he has shown an increasing appreciation of the causative factors of his past antisocial and violent behavior." (CRA at p. 20.) Although Dr. Chan found that Petitioner's insight into his sexual offenses "lacks depth," she clarified that "he does have adequate awareness into the driving forces behind his behavior." (CRA at p. 15.)

Fifth, the Governor cited Dr. Chan's conclusion that Petitioner has "an above-average risk of sexual offense reconviction," and that "despite the mitigating factors of Mr. Enriquez's age and the absence of information that Mr. Enriquez has sexually offended for more than 30 years, this categorization only 'slightly' overstates his current risk level." (Reversal at p. 2; CRA at p. 19.)

However, while Dr. Chan noted that the Static-99R placed Petitioner in the above average risk category relative to other sex offenders, she also stated, "It is important to note that this is a purely actuarial instrument based on the lifetime history of the individual. It is also notable that his score may not fairly represent his risk as his age at the time of release for the index offense was 21.[2] He is currently 57 years old and there is no information to suggest he has sexually offended since 1986. As such, his score is likely slightly inflated." (CRA at p. 19.) Thus, Dr. Chan recognized the static nature of the assessment and its reliance on historical factors.

Lastly, the Governor cited Dr. Chan's mention of Petitioner's "significant personality disorder traits." (Reversal at p. 2; CRA at p. 20.) While Dr. Chan did find that a diagnosis of Antisocial Personality Disorder was appropriate (CRA at p. 11), she also qualified the diagnosis by stating that in Petitioner's case, "he appears to be engaging in less antisocial behavior as he ages and these maladaptive traits are not as pronounced as they were in the past." (CRA at p. 11.) Moreover, the discussion of Petitioner's antisocial personality disorder diagnosis is in the "Historic Factors" section of the CRA's assessment of Petitioner's risk for violence. (CRA at pp. 14-17.) Dr. Chan noted that "the current relevance of all of these [historic] factors is low." (CRA at p. 14.)

The Governor also ignored Dr. Chan's ultimate conclusion that, after considering all the evidence, including Petitioner's current behavior and mental state, Petitioner "displayed no predictive factors for

[2] Dr. Chan appears to be referring to Petitioner's age at the time of release for the index sex offense on which the Static-99R score is based. In 1986, at age 24, while in prison for rape, Petitioner and another inmate sexually assaulted a third inmate. (CRA at p. 19.) However, Petitioner's age at the time of his release for that offense was 26, not 21. (See Petition, Ex. I, Corrections/Rebuttal to 2020 CRA, at p. 2 [noting that Petitioner's Static-99R score "accurately reflects Enriquez's risk level at the time he was *released from the index sex offense*. He was only 26 at that time, so he received a score of 1 on that item"].) Nevertheless, regardless of whether Petitioner's age at the time of release for the index sex offense was 21 or 26, Dr. Chan's point that the Static-99R score may not accurately reflect Petitioner's current risk of committing a sexual offense remains valid.

recidivism" (CRA at p. 15), represents a low risk for violence, and would be "expected to commit violence much less frequently than other parolees" (CRA at p. 20).

Overall, the Governor selectively cited portions of the CRA, taking historical risk factors out of context and suggesting their current relevance despite the psychologist's clear findings to the contrary.

Lack of Credibility and Insight

The Governor's decision was also based in part on Petitioner's purported lack of credibility and insight. (Reversal at p. 2.) An inmate's lack of insight and lack of credibility are not listed as unsuitability factors in either Penal Code section 3041 or its corresponding regulations. However, section 2402 allows the Governor to consider "[a]ll relevant, reliable information available," including the inmate's "past and present mental state" and his "past and present attitude toward the crime…" (§ 2402, subd. (b).)

An inmate's failure to gain insight or understanding either into his commission of the life offense or other misconduct is a relevant consideration in determining parole suitability. (*In re Shaputis* (2008) 44 Cal.4th 1241, 1260 (*Shaputis I*).) The California Supreme Court has "expressly recognized that the presence or absence of insight is a significant factor in determining whether there is a 'rational' nexus between the inmate's dangerous past behavior and the threat the inmate currently poses to public safety." (*Shaputis II*, *supra*, 53 Cal.4th at p. 218.) Lack of insight "can reflect an inability to recognize the circumstances that led to the commitment crime; and such an inability can imply that the inmate remains vulnerable to those circumstances and, if confronted by them again, would likely react in a similar way." (*In re Ryner* (2011) 196 Cal.App.4th 533, 547.) "[T]he finding that an inmate lacks insight must be based on a factually identifiable deficiency in perception and understanding, a deficiency that involves an aspect of the criminal conduct or its causes that are significant, and the deficiency by itself or together with the commitment offense has some rational tendency to show that the inmate currently poses an unreasonable risk of danger." (*Id.* at pp. 548-549.)

Here, the Governor found that Petitioner "must do more to demonstrate that his desistence from misconduct represents an authentic and enduring transformation in thought and conduct, and not merely an

attempt to game the system for his needs." (Reversal at p. 2.) The Governor reiterated the psychologist's statement that "because of Mr. Enriquez's 'ingrained patterns of antisocial and narcissistic thinking and behavior . . . some of the prosocial changes he has made may not have been altruistic.'" (Reversal at p. 2; CRA at p. 15.) Additionally, the Governor noted that the psychologist "concluded that Mr. Enriquez 'tends to present as a "smooth talker" who is facile with communication. He is bright and has adequate resources to research what he believes is expected of him and address the issues the parole board and the governor have raised in the past.'" (Reversal at p. 2; CRA at p. 15.)

However, the Governor did not cite any evidence that Petitioner's rehabilitative efforts and assistance to law enforcement have been "an attempt to game the system for his needs" (Reversal at p. 2). The Governor took the psychologist's statements out of context and failed to note the psychologist's ultimate determination that Petitioner represents a low risk of violence. Additionally, Petitioner has explicitly acknowledged that in the past, his willingness to assist law enforcement was driven in part by his desire for status and attention, explaining to the Board that at first, assisting law enforcement "was all about my egocentricity, all about . . . receiving accolades, like feeding my own narcissism." (HT at pp. 57-58.)

Moreover, even assuming the Governor is correct that Petitioner's rehabilitative efforts and assistance to law enforcement have been motivated by Petitioner's desire for external affirmation rather than altruism, the Governor does not explain how this would increase Petitioner's current risk of dangerousness. To the contrary, the psychologist concluded, "[Petitioner's] behavior indicates that *whatever his motivations may be*, he has been capable of managing his behavior, taking in feedback from his hearings and the governor's denials of his parole grants, and addressing the issues adequately." (CRA at p. 15, italics added.) In fact, the psychologist suggested that Petitioner's desire for external affirmation is likely to manifest itself in the future in prosocial ways, concluding, "In some ways, his narcissistic traits serve him well in this area as the current group he seeks status from tend to be lawabiding and even law-enforcing individuals. Thus, he is more likely to try and gain status and seek approval by engaging in prosocial behavior at this time in his life." (CRA at p. 18.)

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Counsel for Respondent:

Contrary to the Governor's speculation as to Petitioner's insight and credibility, the Board found Petitioner to be "open, honest," and accepting of "full responsibility without minimizing." (HT at p. 134.) The Board also found that Petitioner demonstrated humility as well as "deep insight" into the causative factors of his crimes. (HT at p. 134.) Similarly, the psychologist found that Petitioner "conveyed an understanding of the personal, interpersonal, and contextual factors that contributed to his antisocial and violent behavior." (CRA at pp. 15-16.)

In sum, the record does not support the Governor's finding that Petitioner lacks insight into the causative factors of his criminal behavior.

Remaining Relevant Circumstances Supportive of Release

Petitioner has not received a serious rules violation since 2004 and has no documented incidents of violent behavior since 1997. (CRA at p. 12; HT at p. 133.) He has participated in self-help programming and taken advantage of educational and vocational opportunities. (CRA at p. 12.) While incarcerated, he earned his GED, has taken community college classes, and has been employed in several positions. (CRA at p. 12.) Petitioner has used his knowledge and understanding of the Mexican Mafia gang to assist various law enforcement groups and has testified as an expert witness in state and federal cases. (CRA at pp. 12-13; HT at pp. 133-134.) He has received numerous laudatory chronos and letters of support from members of law enforcement for his efforts to assist with gang-related investigations and prosecutions (Ex. A at p. 131). In March 2020, the Office of Correctional Safety and the Ironwood State Prison Institutional Gang Investigator's Unit "took the rare and extraordinary measure" of recommending termination of Petitioner's validation status of STG-I Inactive Mexican Mafia Dropout. (Ex. G at p. 41.) These activities and lack of recent institutional misconduct tend to show that Petitioner is suitable for release. (§ 2402, subd. (d)(9).) Furthermore, Petitioner is 58 years old (CRA at p. 8), which in and of itself reduces the probability of recidivism.

CONCLUSION

Based on the foregoing, the court finds that the Governor's decision to reverse the Board's determination that Petitioner is suitable for parole is not supported by some evidence that Petitioner currently poses an unreasonable risk of danger to society if released. While Petitioner's prior record of violence is a factor supporting unsuitability, it is an immutable factor that requires other evidence of current dangerousness. Some evidence of the mere existence of an immutable factor is not sufficient. (*In re Lawrence* (2008) 44 Cal.4th 1181, 1212.) Even when only a modicum of evidence is required, the Governor still must articulate a rational nexus between that factor "and the necessary basis for the ultimate decision—the determination of current dangerousness." (*Id.* at p. 1210.) Here, the Governor's statement of decision fails to do so.

The court does not reach this conclusion lightly. The court is mindful of the impact this decision will undoubtedly have on the victims' family and friends. Petitioner committed two murders for which he was appropriately punished. Based on the record before this court, however, there is no evidence demonstrating Petitioner currently poses an unreasonable risk of danger to society, which is the legal standard the court is required to apply by law.

DISPOSITION

For all the foregoing reasons, the Order to Show Cause, having served its purpose, is DISCHARGED and the petition for writ of habeas corpus is GRANTED. The Governor's Reversal is VACATED, and the Board's grant of parole from May 6, 2020 is hereby REINSTATED. The Board is directed "to proceed in accordance with its usual procedures for release of an inmate on parole unless within 30 days of the finality of this decision the Board determines in good faith that cause for rescission of parole may exist and initiates appropriate proceedings to determine that question. [Citations.]" (*In re Twinn* (2010) 190 Cal.App.4th 447, 474.)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DEPT 100

Date:	August 31, 2021				
Honorable:	WILLIAM C. RYAN	Judge	S. KADOHATA	Deputy Clerk	
	NONE	Bailiff	NONE	Reporter	

BH013600
(Underlying Criminal Case No.: BA011487)

(Parties and Counsel checked if present)

RENE ENRIQUEZ,

Counsel for Petitioner:

Petitioner,
On Habeas Corpus

Counsel for Respondent:

The Clerk is ordered to serve a copy of this decision upon Jacob J. Hutt, Esq., as counsel for Petitioner, and upon Deputy Attorney General Jennifer O. Cano as counsel for Respondent, the Governor of the State of California. The Clerk is also ordered to serve a courtesy copy of this order upon the Office of the District Attorney pursuant to Penal Code section 1475.

Send a copy of this order to:

Department of Justice, State of California
Office of the Attorney General
300 South Spring St., Suite 1702
Los Angeles, CA 90013
Attn: Jennifer O. Cano, Deputy Attorney General

Jacob J. Hutt, Esq.
Prison Law Office
1917 Fifth Street
Berkeley, CA 94710

Send a courtesy copy of this order to:

Office of the District Attorney
Post-Conviction Litigation & Discovery Division
Habeas Corpus Litigation Team
320 W. Temple St., Rm. 540
Los Angeles, CA 90012

Minutes Entered
08-31-21
County Clerk