

No. B315914

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT, DIVISION FOUR

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IN RE RENE ENRIQUEZ,  
ON HABEAS CORPUS.

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Los Angeles County Superior Court, Case No. BH013600

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**NOTICE OF ABANDONMENT OF APPEAL**

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July 19, 2022

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Pursuant to [California Rules of Court, rule 8.316](#), appellant hereby abandons the appeal filed on October 26, 2021 as the issues raised in the appeal are now moot. On January 20, 2022, during the pendency of this appeal, the Board of Parole Hearings (Board) found Rene Enriquez suitable for parole. (Exh. 1—Inmate Board Actions.) Thereafter, the Governor referred Enriquez’s parole grant for review by the full Board. (*Ibid.*) On July 18, 2022, the Board voted to affirm the panel’s January 20, 2022 decision to grant Rene Enriquez parole. (Exh. 2—En Banc Decisions at p. 7.) Accordingly, Enriquez will be released from prison.<sup>1</sup>

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<sup>1</sup>“If the Board votes to affirm the hearing panel’s decision or to modify the hearing panel’s decision, the inmate will be processed for release by the California Department of Corrections and Rehabilitation.” (<https://www.cdcr.ca.gov/bph/parole-suitability-hearings-overview/what-to-expect-after-a-parole-suitability-hearing/>.)

Respectfully submitted,

ROB BONTA

*Attorney General of California*

PHILLIP J. LINDSAY

*Senior Assistant Attorney General*

JULIE A. MALONE

*Supervising Deputy Attorney General*

*/s/ Jennifer O. Cano*

JENNIFER O. CANO

*Deputy Attorney General*

*Attorneys for Appellant*

July 19, 2022

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# Exhibit - 1



# Inmate Board Actions

<b>Inmate Name</b>	ENRIQUEZ, RENE OLMOS
<b>CDCR Number</b>	H69471
<b>Parole Eligible Date (Month/Year)</b>	07/2003

## Past Board Actions

<b>Date</b>	<b>Action</b>	<b>Outcome</b>
June 17, 2022	Governor's Referral to the Full Board for Review	The Governor referred the inmate's parole grant for review by the full board
January 20, 2022	Parole Suitability Hearing	Inmate was granted parole
September 15, 2021	Parole Suitability Hearing	Parole suitability hearing was continued
September 18, 2020	Governor's Reversal	The inmate's grant of parole was reversed
May 06, 2020	Parole Suitability Hearing	Inmate was granted parole
April 12, 2019	Governor's Reversal	The inmate's grant of parole was reversed
December 14, 2018	Parole Suitability Hearing	Inmate was granted parole
August 23, 2018	Parole Suitability Hearing	Parole suitability hearing was postponed
November 02, 2017	Governor's Reversal	The inmate's grant of parole was reversed
July 21, 2017	Parole Suitability Hearing	Inmate was granted parole
April 03, 2017	Parole Suitability Hearing	Parole suitability hearing was postponed
June 30, 2016	Governor's Reversal	The inmate's grant of parole was reversed
February 05, 2016	Parole Suitability Hearing	Inmate was granted parole
February 20, 2015	Governor's Reversal	The inmate's grant of parole was reversed
September 25, 2014	Parole Suitability Hearing	Inmate was granted parole
February 12, 2014	Parole Suitability Hearing	Parole suitability hearing was postponed
January 24, 2014	Parole Suitability Hearing	Parole suitability hearing was cancelled
March 21, 2011	Parole Suitability Hearing	Inmate was denied parole for 3 years
November 08, 2010	Parole Suitability Hearing	Parole suitability hearing was postponed
November 01, 2004	Parole Suitability Hearing	Parole suitability hearing was postponed

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Information current as of: 07/19/2022

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# Exhibit - 2



## **En Banc Decisions** **BOARD OF PAROLE HEARINGS**

**Monday, July 18, 2022**

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**WHITE, ALBERT**  
**V78711**

Sentencing Court: Los Angeles

- 1. Whether the case should be added to the agenda because there exists a need to take immediate action under Government Code section 11125.3, subdivision (a)(2).**

**Motion:** Add the case to the agenda because there exists a need to take immediate action under Government Code section 11125.3, subdivision (a)(2).

**Motion by:** Barton

**Second by:** Cassady

**Not Present:** Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

**Abstained:**

**Decision:** **Motion approved by a majority of the commissioners present.**

- 2. Governor-referred pursuant to Penal Code section 3041.1 and referred by the Chief Counsel under Penal Code 3041, subdivision (b).**

**Motion:** Affirm the panel's December 15, 2021 decision to grant parole, as articulated in the panel's proposed decision.

**Motion by:** Chappell

**Second by:** Schneider

**Not Present:** Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

**Abstained:**

**Decision:** **Motion approved by a majority of the commissioners present.**

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**BOHANA, DONALD**

**P22798**

**Referred by the Chief Counsel under Penal Code 3041, subdivision (b)**

Sentencing Court: Los Angeles

**Motion:** Vacate the panel's March 25, 2022 decision to deny parole and schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Cassady

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**CARROLL, CURTIS**

**P75118**

**Referred by the Chief Counsel under Penal Code 3041, subdivision (b)**

Sentencing Court: Alameda

**Motion:** Vacate the panel's March 23, 2022 decision to deny parole and schedule a new hearing on the next available calendar.

Motion by: Chappell

Second by: Taira

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**DENARD, ANTHONY**

**T40754**

**Referred by the Chief Counsel under Penal Code 3041, subdivision (b)**

Sentencing Court: Alameda

**Motion:** Vacate the panel's April 13, 2022 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Dobbs

Second by: San Juan

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**JOHNSON, PRECIOUS**

**X34901**

**Referred by the Chief Counsel under Penal Code 3041, subdivision (b)**

Sentencing Court: Fresno

**Motion:** Vacate the panel's May 19, 2022 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Sullivan

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained: Cassady

**Decision: Motion approved by a majority of the commissioners present.**

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**LEON, JOSE**

**P69655**

**Referred by the Chief Counsel under Penal Code 3041, subdivision (b)**

Sentencing Court: Los Angeles

**Motion:** Vacate the panel's March 24, 2022 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Dobbs

Second by: Minor

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**MOSBY, MALCOLM**

**P61832**

**Referred by the Chief Counsel under Penal Code 3041, subdivision (b)**

Sentencing Court: Los Angeles

**Motion:** Vacate the panel's May 12, 2022 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Taira

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**QUINN, CATHLEEN**

**X07099**

**Referred by the Chief Counsel under Penal Code 3041, subdivision (b)**

Sentencing Court: San Bernardino

**Motion:** Vacate the panel's March 30, 2022 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Schneider

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**ARCHULETA, TINO**

**T26012**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's February 11, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Taira

Second by: Cassady

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**CATANZARITE, JOHN**

**H62440**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Alameda and Solano

**Motion:** Refer for a rescission hearing to consider whether the panel's March 10, 2022 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated July 1, 2022.

Motion by: Barton

Second by: Purcell

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**CORTEZ, JESUS**

**P61146**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Kern

**Motion:** Affirm the panel's March 16, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Purcell

Second by: Schneider

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained: Barton

**Decision: Motion approved by a majority of the commissioners present.**

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**ENRIQUEZ, RENE**

**H69471**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's January 20, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Dobbs

Second by: Schneider

Not Present: Barton, Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained: Cassady

**Decision: Motion approved by a majority of the commissioners present.**

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**GAMBLE, DAVID**

**E85131**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Los Angeles

**Motion:** Affirm the panel's January 14, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Minor

Second by: Chappell

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**GARCIA, RAMSEY**

**K62809**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: San Bernardino

**Motion:** Affirm the panel's March 8, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Cassady

Second by: Chappell

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Taira, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**GRANT, MICHAEL**

**D08779**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: San Francisco

**Motion:** Affirm the panel's February 3, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Dobbs

Second by: Cassady

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**HEIDINGER, GERALD**

**T95777**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Monterey

**Motion:** Affirm the panel's February 11, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Chappell

Second by: Barton

Not Present: Garcia, Garland, Long, Muniz, Ndudim, Nwajei, O'Meara, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

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**HON, ROBERT**

**G56412**

**Governor-referred pursuant to Penal Code section 3041.1**

Sentencing Court: Sacramento

**Motion:** Affirm the panel's February 4, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Purcell

Second by: Chappell

Not Present: Barton, Garcia, Garland, Long, Muniz, Ndudim, Nwajei, Ruff, Sharrieff, Thornton

Abstained:

**Decision: Motion approved by a majority of the commissioners present.**

**DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S. MAIL**

Case Name: **In re Rene Enriquez**

Case No.: **B315914**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collecting and processing electronic and physical correspondence. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On **July 19, 2022**, I electronically served the attached **NOTICE OF ABANDONMENT OF APPEAL** by transmitting a true copy via this Court's TrueFiling system. I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on **July 19, 2022**, at Baldwin Park, California.

J. Garcia

Declarant for eFiling

*/s/ J. Garcia*

Signature

Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on **July 19, 2022**, a true copy thereof enclosed in a sealed envelope has been placed in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013-1230, addressed as follows:

Jacob J. Hutt, Prison Law Office  
**Attorney for Defendant and Respondent, Rene Enriquez**  
**(Served via Tru Filing)**

Amy D. Wilton, Deputy-in-Charge  
L.A. County District Attorney's Office  
**(Served via Email)**

The Honorable William C. Ryan  
Los Angeles County Superior Court  
Clara Shortridge Foltz Criminal  
Justice Center  
210 West Temple St., Dept. 100  
Los Angeles, CA 90012  
**(Case No. BH013600)**

California Appellate Project (LA)  
**(Served via Email)**

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on **July 19, 2022**, at Los Angeles, California.

A. Paraiso

Declarant for U.S. Mail



Signature