



## Index Search System

Superior Court

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Related Cases

## Alias:

Xref	Last Name	First Name	Middle Name
1446198	ROTHE	DERIC	E
1446198	ROTHE	DERIC	EVAN
1446198	ROTHE	DERICK	EVAN

## Filing Information:

Case Number	Filing Date	Xref	Last	First	Middle	Status	Charge Doc	Court ID
86436	08/18/1988	1446198	ROTHE	DERIC	EVAN	Disposed	Converted	34100

## Filing Charges:

Count	Charge	Severity
C001	HS 11351	FEL
C002	PC 182(1)	FEL

Type	Code	Description
Severity	FEL	Felony

[Show/Hide Code Description](#)

## Hearing History:

Date	Time	Department	Reason	Outcome
04/30/2003	2:00 PM	Department 62	MOT1203.4	DENY
01/17/1989	1:30 PM	Department 05	MOTDISMCT	GRANT
01/17/1989	1:30 PM	Department 05	PROBHRGJS	SENT
01/13/1989	1:30 PM	Department 05	MOTDISCTDA	CONT
01/13/1989	1:30 PM	Department 05	PROBHRGJS	CONT
01/06/1989	3:00 PM	Department 05	HRG1204JS	OTHER
01/06/1989	3:00 PM	Department 05	MOTDISMCT	CONT
01/06/1989	3:00 PM	Department 05	PROBHRGJS	CONT
11/29/1988	1:30 PM	Department 05	MOTDISMCT	CONT
11/29/1988	1:30 PM	Department 05	PROBHRGJS	SET1204HRG

[Show/Hide Code Description](#)

## Charge Dispositions:

Count	Plea	Charge	Dispo Code	Dispo Date	Severity
C001	GU	HS 11351	GP	10/18/1988	FEL

Type	Code	Description
Plea Code	GU	Guilty
Dispo Code	GP	Guilty Plea
Severity	FEL	Felony

[Show/Hide Code Description](#)

### Sentence Summary:

Count	Sent. Type	Sentence Date	Prob. Status	Non LT Code	Non Local Time
CASE	C	01/17/1989	D	SP	2Y

Type	Code	Description
Sent Type	C	Conversion
Prob Status	D	Denied
Non LT Code	SP	State Prison

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# IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF PLACER

Applicant's County of Residence

In the Matter of the Application of

SSP 508

DERIC EVAN ROTHE

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

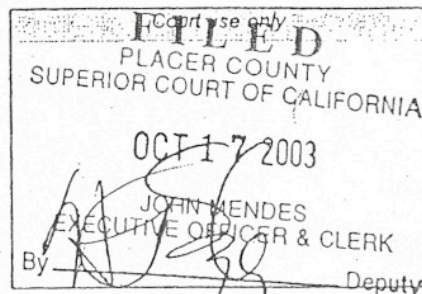
Certificate Number

Date of Birth DECEMBER 8, 1956

CII Number A08841593

Criminal Case Number(s) 86436

List applicable Criminal Case Number(s)



## CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of DERIC EVAN ROTHE, presently residing

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

at 22 SYLVAN VISTA WAY AUBURN CA. 95603, heretofore filed, praying for

Type Applicant's Street Address, City, State, and ZIP Code

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on this \_\_\_\_\_ day

Day of the Month

of \_\_\_\_\_ and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on JANUARY 28, 1990, that, where appropriate, petitioner has

Month, Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 17th day of Oct 2003

Day of the Month

Month, Year

Frances Kearney  
Judge of said Superior Court - TYPED or PRINTED

[Signature]  
Judge of said Superior Court - SIGNATURE

Action No. SSP 0508  
Matter of Deric Evan Rothe

## Proof of Service

I am employed by the County of Placer, State of California. I am over the age of 18 years and not a party to the within above entitled action. My business address is PLACER COUNTY SUPERIOR COURT, 101 Maple Street, Auburn, California 95603. On this date, I served the within:

### Certificate of Rehabilitation

On the parties below named in said action by placing a true copy thereof for collection and mailing so as to cause it to be mailed on the date stated below, following standard court practices, in sealed envelopes addressed as follows:

Office of the Govenor State Capitol Floor 1 Sacramento, CA 95814	Nina Ashford 1590 Cornell Way Auburn, CA 95603	

I am readily familiar with the County's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with the U.S. Postal Service and/or inter office mail on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on January 13, 2004 Auburn, California.

JOHN MENDES, CLERK OF THE COURT

By:   
H. Sigler, Deputy Court Clerk



PLACER COUNTY SUPERIOR COURT  
MOTIONS / OTHER HEARINGS

ple vs. Deric Evan Rothe Case No.: SSP 508  
e: 10-17-03 Court met at: 1:00pm Dept.: 13 Judge: Kearney  
k: Sigler Reporter: Goldsberry Preparation:  
ense counsel: Debra Nina Solarno D.D.A. Kearney  
ure of Proceedings: Petition for Certification of Rehabilitation & Pardon Arresting agency:  
tudy status: Delq Interpreter: ☐ certified ☐ qualified Language: ☐ oath on file

XT COURT APPEARANCE:

Defendant present ☒ not present

☐ Probation summarily revoked

☐ Bail exonerated ☐ reinstated

☐ B/W ordered. Bail \$

☐ Reinstated upon payment of reinstatement fee

☐ B/W stayed ☐ B/W recalled

☐ Bail apply/balance exonerated

☐ Bail forfeited ☐ O/R revoked

☐ Forfeiture set aside

MOTIONS:

Discovery ☐ denied ☐ granted, with compliance by

PC1538.5 ☐ denied ☐ granted as to

☐ submitted

itness(es) sworn and examined:

Exhibit Record:

] PC995 ☐ denied ☐ granted as to

☐ submitted

] Motion to amend Complaint/Information ☐ denied ☐ granted. ☐ Defendant waives re-arraignment. Not guilty plea(s)/denial(s) entered.

] Motion to exonerate bail ☐ denied ☐ granted. Bail bond #

] Motion to specify offense as a misdemeanor pursuant to PC17(b) ☐ granted ☐ denied.

] Motion to terminate probation pursuant to PC1203.3 ☐ granted ☐ denied.

] Motion to withdraw plea and dismiss charges pursuant to PC1203.4 ☐ granted ☐ denied

] Motion petition

☒ granted ☐ denied ☐ submitted

] Summary judgement entered.

REFERRAL ORDERS:

☐ Court appoints Dr. under the authority of Evidence Code ☐ 730 ☐ 1017 to evaluate defendant pursuant to

☐ 1368 PC ☐ 1026 PC ☐ 288.1 PC ☐ other Full ☐ Consultation

☐ Returned to originating court for Case may be returned to M.H.C. calendar for disposition.

☐ Returned to originating court. Case not suitable for M.H.C.

☐ Report of examining expert(s) received. ☐ On stipulation of parties, presence of experts waived and matter submitted to court for decision.

☐ Court finds defendant ☐ IS ☐ IS NOT competent to stand trial. ☐ Criminal proceedings resumed.

☐ Referred to Mental Health Director for placement report.

☐ Placement report received and reviewed by the court. Defendant ordered placed in

☐ REMANDED to custody of Sheriff ☐ until next appearance. Bail \$

☐ to be delivered / released to

☐ ORDERED RELEASED O / R

☐ DISCHARGED (present case only)

☐ COMMITTED to custody of Sheriff until sentence is satisfied. (original sentence/CTS) /

☐ Defendant permitted to remain at liberty on ☐ bail ☐ O/R & is specifically ordered to appear on date set for hearing.

Defendant Jail Revenue Services DA Defense Counsel

**AFFIDAVIT OF SERVICE BY MAIL**

**STATE OF CALIFORNIA**

City of Auburn, County of Placer

I, Rebecca S. Domeier being first duly sworn, deposes, and says:  
Full Name - First Middle Last and Suffix, if applicable

I am a citizen of the United States, am over the age of 18 years, and am not a party to the above-entitled proceeding. I am a resident of the County of Placer, State of California.  
County of Residence

My ☐ residence ☒ business address is 1590 Cornell Way  
Street Address  
Auburn, California 95603  
City, State, ZIP Code

On the 10<sup>th</sup> day of Sept. 2003, I served the attached Notice to each person listed below  
Day of the Month Month Year

Bradford R. Fenocchio

Placer Co. District Attorney 11562 B. Ave. Auburn Placer  
Full Name - First Middle Last and Suffix, if applicable Street Address County

Brian Myers

Sacramento Co. District Attorney 901 G St. Sacramento Sacramento  
Full Name - First Middle Last and Suffix, if applicable Street Address County

Governor's Office of Legal Affairs State Capitol Building, Sac.  
Full Name - First Middle Last and Suffix, if applicable Street Address County

Full Name - First Middle Last and Suffix, if applicable Street Address County

by placing a copy of this Notice in a sealed envelope and mailing it first class, postage pre-paid to each person as listed above. There is a delivery service by United States mail at each of the places so addressed, or there is a regular communication by mail between the place of mailing and each of the places so addressed.

Subscribed and sworn to before me this 10 day of September 2003  
Day of the Month Month Year

Shan Deneus  
Full Name of Notary Public - TYPED or PRINTED

Notary Public - SIGNATURE

In and for the City of Auburn, County of Placer, California



SSP508

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF

PLACER

Applicant's County of Residence

In the Matter of the Application of

DERIC EVAN ROTHE

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth DECEMBER 8, 1956

Month Day, Year

CII Number A08841593

Criminal Case Number(s) 86436

List applicable Criminal Case Number(s)

FILED

PLACER COUNTY  
SUPERIOR COURT OF CALIFORNIA

SEP 03 2003

JOHN MENDES  
EXECUTIVE OFFICER & CLERK

By Siddle Deputy

NOTICE OF FILING OF PETITION FOR CERTIFICATE OF REHABILITATION AND PARDON

Pursuant to Penal Code Sections 4852.01 and 4852.06

To the Governor of the State of California:

District Attorney, County of PLACER

County of Residence

District Attorney, County of SACRAMENTO

Most recent felony in county of conviction, if different from County of Residence

District Attorney, County of

2<sup>nd</sup> most recent felony in county of conviction, if applicable

District Attorney, County of

3<sup>rd</sup> most recent felony in county of conviction, if applicable

You and Each of You Will Please Take Notice That On the \_\_\_\_\_ day of \_\_\_\_\_

Date you filed your Petition for Certificate of Rehabilitation and Pardon

the undersigned has filed a petition in the above-mentioned court(s) for a Certificate of Rehabilitation and

Pardon in accordance with the provision of Chapter 3.5, Title 6, Part 3 of the Penal Code of the State of

California, and that said petition has, by said court, been set for a hearing on the 17<sup>th</sup> day of

Day of hearing

October to commence at 1:00 ☐ a.m. ☒ p.m., of said day, or as soon

Month, Year

Time of hearing

as the matter can be heard, in its courtroom, department 13 at the courthouse

Department

in the city of AUBURN

City where hearing will be held

, county of PLACER

County where hearing will be held

state of California.

[Signature]

Applicant's Signature

May 30 2003

Month Day, Year

22 SYLVAN VISTA WAY

Applicant's Street Address

AUBURN CA., 95603

Applicant's City, State ZIP Code



IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF PLACER

Applicant's County of Residence

In the Matter of the Application of

DERIC EVAN ROTHE

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth DECEMBER 8, 1956

Month Day, Year

CII Number A08841593

Criminal Case Number(s) 86436

List applicable Criminal Case Number(s)

Court use only

**PETITION FOR CERTIFICATE OF REHABILITATION AND PARDON**

Pursuant to Penal Code Sections 4852.01 and 4852.06

The above-named applicant hereby respectfully represents and shows that:

**FELONY HISTORY**

[ All felony convictions must be listed. If you have suffered more than three (3) felony convictions, attach additional sheets following the same format. ]

**Most Recent Felony Conviction**

On or about JANUARY 26, 1989 I was convicted of the crime of POSSESSION FOR SALE H&S 11351

Month Day, Year

Indicate crime and Penal Code Section

in the county of SACRAMENTO, California. My sentence for this offense was:

[ Check appropriate box ]

☒ Commitment to state prison or other state institution at DUEL VOCATIONAL INSTITUTE ;

Name of institution or city where located

☐ Probation with suspended sentence to state prison or other state institution;

☐ Probation, after the sentencing proceedings were suspended.

Thereafter, on or about JANUARY 28, 1990, I was;

Date released from custody

[ Check appropriate box ]

☐ Discharged from state prison or other state institution after completing my sentence;

☒ Released on parole, from which I was finally discharged on \_\_\_\_\_ ;

Discharge date

☐ Released from custody on probation after serving a jail sentence;

☐ As a condition of my probation, I was released from custody after serving time in jail, and successfully completed my probation on \_\_\_\_\_, and obtained relief under Penal Code section 1203.4 on \_\_\_\_\_

Date probation ended

Date 1203.4 granted by the Court



### Second Most Recent Felony Conviction

On or about \_\_\_\_\_, I was convicted of the crime of \_\_\_\_\_  
Month Day, Year Indicate crime and Penal Code Section

in the county of \_\_\_\_\_, California. My sentence for this offense was:

[ Check appropriate box ]

☐ Commitment to state prison or other state institution at \_\_\_\_\_  
Name of institution or city where located

☐ Probation with suspended sentence to state prison or other state institution;

☐ Probation, after the sentencing proceedings were suspended.

Thereafter, on or about \_\_\_\_\_, I was;  
Date released from custody

[ Check appropriate box ]

☐ Discharged from state prison or other state institution after completing my sentence;

☐ Released on parole, from which I was finally discharged on \_\_\_\_\_  
Discharge date

☐ Released from custody on probation after serving a jail sentence;

☐ As a condition of my probation, I was released from custody after serving time in jail, and successfully completed my probation on \_\_\_\_\_, and obtained relief under Penal Code section 1203.4 on \_\_\_\_\_  
Date probation ended  
Date 1203.4 granted by the Court

### Third Most Recent Felony Conviction

On or about \_\_\_\_\_, I was convicted of the crime of \_\_\_\_\_  
Month Day, Year Indicate crime and Penal Code Section

in the county of \_\_\_\_\_, California. My sentence for this offense was:

[ Check appropriate box ]

☐ Commitment to state prison or other state institution at \_\_\_\_\_  
Name of institution or city where located

☐ Probation with suspended sentence to state prison or other state institution;

☐ Probation, after the sentencing proceedings were suspended.

Thereafter, on or about \_\_\_\_\_, I was;  
Date released from custody

[ Check appropriate box ]

☐ Discharged from state prison or other state institution after completing my sentence;

☐ Released on parole, from which I was finally discharged on \_\_\_\_\_  
Discharge date

☐ Released from custody on probation after serving a jail sentence;

☐ As a condition of my probation, I was released from custody after serving time in jail, and successfully completed my probation on \_\_\_\_\_, and obtained relief under Penal Code section 1203.4 on \_\_\_\_\_  
Date probation ended  
Date 1203.4 granted by the Court

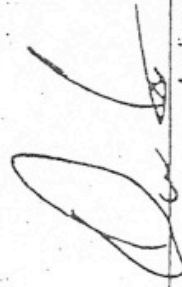
## RESIDENCY HISTORY

I am now a resident of the State of California, and I have continuously resided in the State of California from JANUARY 1, 1976, to the present date.  
Month Day, Year

## APPLICANT'S DECLARATION

During the period of my rehabilitation, I have lived an honest and upright life, conducted myself with sobriety and industry, and exhibited good moral character. I have conformed to and obeyed all the laws of the land.

WHEREFORE, Your petitioner prays that the Court make its order and decree declaring that the petitioner has been rehabilitated; and for a Certificate of Rehabilitation recommending that the Governor of the State of California grant petitioner a full pardon; and that for such purpose, a time be appointed for the hearing of the foregoing petition; and that other and necessary proper orders may be made in the premises.



Applicant's Signature

MAY 31 2003  
Month Day Year

22 SYLVAN VISTA WAY

Applicant's Street Address

AUBURN CA., 95603

Applicant's City, State ZIP Code



PROBATION DEPARTMENT  
COUNTY OF SACRAMENTO  
Memorandum to the Court

Date: April 25, 2003

TO: THE HONORABLE RONALD W. TOCHTERMAN  
JUDGE OF THE SUPERIOR COURT  
DEPARTMENT 62

FROM: VALERIE A. RUSSELL  
SENIOR DEPUTY PROBATION OFFICER

SUBJECT: DERICK EVAN ROTHE  
Court No : 86436  
CJIS XREF No. : 1446198  
Probation No. : A-127,467  
Offense : 11351 H&S, a Felony  
Court Date/Time : April 30, 2003 @ 2:00 p.m.

REASON FOR MEMORANDUM: 1203.4 P.C. (DISMISSAL)

On January 17, 1989, the Court sentenced the defendant, DERICK EVAN ROTHE, to two (2) years State Prison relative to a conviction for violation of Section 11351 of the Health & Safety Code, a Felony. Therefore, as he was sentenced to State Prison, the defendant is not eligible for relief pursuant to Penal Code Section 1203.4.

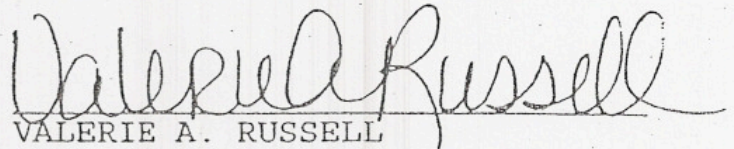
NOTICE TO DISTRICT ATTORNEY PURSUANT TO 1203.4(d) P.C.:

By copy of this memorandum, the District Attorney's Office is hereby given notice of the Petition filed herein.



PROOF OF SERVICE

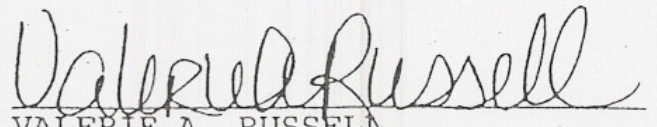
I declare under penalty of perjury that Notice of this Petition was sent to the District Attorney's Office through the County Inter-Departmental mail System this date:

  
VALERIE A. RUSSELL  
SENIOR DEPUTY PROBATION OFFICER

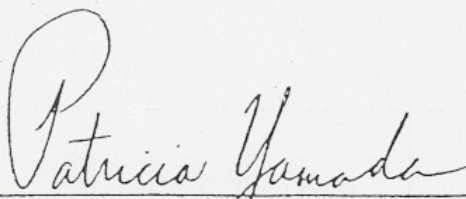
NOTICE TO CLERK OF THE COURT

Pursuant to 1203.4(d) P.C., "No relief shall be granted under this section unless the prosecuting attorney has been given 15 days notice of the petition for relief..." Notice was sent to the District Attorney's office on the date noted above.

This is a Sacramento County Probation Department recommendation and is respectfully submitted by:

  
VALERIE A. RUSSELL  
SENIOR DEPUTY PROBATION OFFICER

APPROVED:

  
PATRICIA YAMADA, SUPERVISING PROBATION OFFICER

cc: District Attorney's Office  
Attention: Felony Bureau Chief