

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA**

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

Defendant.

_____ BA _____ %

Case No. _____

**PROBATION ORDER
(COURT)**

The above-named defendant having been convicted of a misdemeanor, violation of Sections(s) 23152 a / b/ c/ d/ e/ f w/prior(s) CVC and _____ DOV _____.

- IMPOSITION OF SENTENCE SUSPENDED, and DEFENDANT PLACED ON PROBATION FOR THREE (3) YEARS ON THE FOLLOWING TERMS AND CONDITIONS:
- 1. Report to the Central Coast Headway Alcohol Program (and Probation Department) at Santa Maria within 72 hours (of release) and again when ordered to do so. Enroll in and complete program as directed, at defendant's expense. **18 month program.**
- 1a. Pay a reasonable monthly supervision fee as determined by the Probation Department which shall not exceed \$90.00 per month if placed on supervised probation.
- 1b. Follow reasonable orders of Probation Officer, including taking any recommended therapies at your expense.
- 2. Keep (Probation) Program and Court informed of any changes in mailing address or employment.
- 3. Obey all laws (Federal, state, local). Have no alcohol, no similar violations.
- 4. Do not use intoxicating liquor of any kind, including wine and beer, to excess, nor drive a vehicle with measurable level of alcohol in blood.
- 4a. NO DRINKING AT ALL FOR _____ MONTHS.
- 5. Do not frequent places where alcohol is the chief item of sale. Stay out of bars and liquor stores.
- 6. Submit to and take body fluid or physical test for intoxication or drugs or narcotics upon official demand.
- 7. Your driving privilege is suspended for _____ year(s) if otherwise valid.
- 8. Do not drive a motor vehicle upon a public highway unless in possession of a valid license. Do not drive in violation of any driving license suspension or restrictions imposed by Court or DMV. Do not drive without insurance.
- 9. Do not possess or use drugs or narcotics except as are prescribed for you for treatment by a licensed medical doctor.
- 10. Submit to search and seizure, day or night, with or without probable cause.
- 11. Pay restitution as directed in the amount of (\$ _____) (to be determined by Probation with hearing set on request of defendant).
- 12. Pay fine today in the amount of \$ _____ (includes assessments), plus Restitution/OR/CR Fine/Fee in the amount of **\$175.00** pursuant to 1202.4/1463.07 PC. Or pay total amount plus an additional \$30.00 per PC 1205 in full within 60 days of release, or sign up for the installment payment plan.
- 13. Pay **\$150.00** probation revocation restitution fine. Pursuant to section 1202.44 PC, this fine is suspended unless probation is revoked and full sentenced is imposed.
- 14. \$ _____ of fine may be served off with _____ days jail. CC/CS
- 15. MAKE ALL FINE PAYMENTS TO THE "CLERK OF THE SUPERIOR COURT".
- 16. Serve _____ days in County Jail. _____ CTF Credit for time served of _____ days. The jail terms to be served from _____ a.m./p.m. Starting on or before: _____. Report to the Court / Santa Maria Sheriff's Substation / Santa Barbara County Jail. (Special instructions: MAY APPLY FOR WORK RELEASE/WORK FURLOUGH. MUST APPLY NO LATER THAN: _____.)
- 17. Do not own, possess, or drive any motor vehicle not equipped with an Ignition Interlock Device.
- 18. Pay \$ _____ Criminal Justice Administration Fee to arresting agency as directed by that agency. [] Santa Maria Police Dept. [] Santa Barbara County Sheriff's Office (in Santa Maria)
- 19. Attend _____ AA meetings.
- 20. SCRAM until SWAP commences
- 21. Convert to Court Probation upon _____
- 22. Court recommends that the defendant be screened for the DUI Treatment Court.
- 23. REVIEW DATE _____ at 8:30 a.m. **DEFENDANT MUST BE PRESENT.**
- 24. _____

I have received a copy of this order and agree to abide by its terms.

DATED: _____

Signed: _____
Defendant

Judge of the Superior Court

ADDRESS: _____

Phone No.: _____

SEE OTHER SIDE FOR YOUR RIGHTS, PENALTIES AND PRIVILEGES

Interpreter has translated into appropriate language

NOTICE TO PROBATIONER

Thoroughly familiarize yourself with the conditions of probation, as a violation of any of the terms of probation will render you liable to the following penalties, while if you faithfully perform your duties, you will be entitled to the privileges set forth below.

If the victim restitution or restitution fines are unpaid at the 120 days prior to your probation expiration date, you must prepare and file a new updated financial disclosure form with the court no later than 90 days prior to the probation expiration date pursuant to section 1202.4 PC.

PENALTIES

At any time during your probation term, if the Court determines that you have violated any of the terms of your probation or have engaged in any criminal practice, or have become abandoned to improper associates, it may revoke and terminate your probation and pronounce judgment (Fine and/or Jail). (Penal Code section 1203.2)

PRIVILEGES

TO HAVE THE CONVICTION SET ASIDE. Defendant may, upon satisfactory completion of these terms of probation, request of the Court that his/her conviction be set aside, subject to certain limitations. (Penal Code section 1203.4)

TO HAVE THE RECORDS OF CONVICTION OF MINORS SEALED. Where the defendant was under the age of 18 years at the time of the commission of a misdemeanor, and where the defendant was not convicted of more than one offense, with certain limitations, the defendant may request that the Court order sealing of the records of convictions. (Penal Code section 1203.45)

APPEAL RIGHTS

You have the right to appeal the judgment imposed on this case. If you choose to appeal you must file a "Notice of Appeal" with this Court with 30 days of the date judgment is pronounced. If you wish to be represented by any attorney and cannot afford one, you must notify the Court that you wish counsel appointed. It is your responsibility to inform the Court of any address change.

SANTA BARBARA COUNTY SUPERIOR COURT

312- M East Cook Street
Santa Maria, CA 93454
(805) 614-6590

SANTA BARBARA COUNTY PROBATION DEPARTMENT

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Santa Maria, CA 93455-6139
(805) 739-8500