

People vs BENNY

Misdemeanor

Hall of Justice - Department 21

Status: Probation

PARTIES

PEOPLE OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

vs

Represented By:
Emmalee Victoria Ann Sproul
Amber McComas

Represented By:
Kiarash Feyzjou

CASE INFORMATION

Custody Status	Case Status	Ordered Bail	Blood Alcohol Level
Probation	Probation	\$3,500.00	
Arrest Number	Arresting Agency	Arrest Date	Filing Date
	California Highway Patrol - Riverside (Riverside County)	08/03/2023	02/29/2024
Continuances	4	Age in Days	481
		Last Day for Trial	Nov 24 2024
60-Day Waiver	60-Day Waiver has not been taken.		

CHARGES

Count	Type	Charge	Description	Severity	Plea	Status
	Arrest	VC M23152 (A)	Driving Under the Influence	Misdemeanor		
001		VC M23152 (A)	Driving Under the Influence	Misdemeanor	Not Guilty	Dismissed
002		VC M23152 (B)	Driving Under the Influence BAC .08 or Higher	Misdemeanor	Not Guilty	Dismissed
003		VC 23103 (A)	Reckless Driving: Highway	Misdemeanor	Guilty	Convicted

FINE INFORMATION

Fine Amount	Amount Paid	Amount Due	Date to Pay
\$1,923.00	\$0.00	\$1,923.00	

REGISTER OF ACTIONS

Date	Action
07/11/2025	Jury Trial at 8:00 AM in Department 21
06/24/2025	Count 002 Driving Under the Influence BAC .08 or Higher [M23152(B)] disposition updated to Dismissal
06/24/2025	Count 001 Driving Under the Influence [M23152(A)] disposition updated to Dismissal
06/24/2025	Count 003 Reckless Driving: Highway [23103(A)] disposition updated to Conviction: Guilty Plea
06/24/2025	Count 003 Reckless Driving: Highway [23103(A)] plea updated to Guilty

06/24/2025

Trial Readiness Conference at 8:00 AM in Department 21

Honorable Helios J. Hernandez, Judge

J. Leandro, Courtroom Assistant

Court Reporter: None

APPEARANCES:

People represented by Deputy District Attorney, Amber McComas.

Private Counsel Kiarash Feyzjou present in court, representing the defendant.

Defendant is present.

At 11:45 AM the following proceedings were heard:

Jury Trial set on 07/11/25 at 08:00 AM is vacated.

Oral motion by People regarding amend complaint to add count 003 is called for hearing.

Motion granted.

Complaint is orally amended to add count 003, a violation of VC 23103(A) as a wet reckless.

Electronic - Complaint Filed. amended by interlineation to reflect added count 003.

Defendant arraigned on amended Complaint.

Misdemeanor Plea Form is incorporated herein and includes the following advisements and waivers:

Defendant advised of constitutional rights.

Defendant advised of right to a speedy and public trial by judge or jury.

Defendant advised of right to confront and cross examine witnesses and right to present evidence on his/her own behalf.

Defendant advised of privilege against self-incrimination.

Defendant advised of charges and consequences of his/her plea and statutory sentencing.

Defendant advised of right to counsel, continuance to consult counsel, and assignment of counsel if unable to employ private counsel.

Defendant advised of right to speedy trial, dismissal if no trial is held within 30/45 days after arraignment and effect of consent to waive time.

Defendant advised if not a citizen conviction will result in deportation, exclusion from admission to this country or denial of naturalization.

Defendant waives constitutional rights.

Defendant waives right to trial by jury.

Defendant waives right to confront and cross examine witnesses.

Defendant waives privilege against self-incrimination.

Defendant pleads guilty to count(s) 003.

Defense counsel concurs in defendant's plea and/or admissions.

Court finds based on inquiry and examination of defendant, that defendant has the ability to understand and does understand his/her constitutional rights.

Court finds defendant's admission of guilt and/or admission of prior conviction(s) and/or probation violation(s) if any, is the result and product of the result of defendant expressly, knowingly, understandingly, and intelligently waives their constitutional rights including, but not limited to: right to counsel, privilege against self-incrimination, to trial by jury, and to confront accusers, and voluntarily made with an understanding of the nature and consequences thereof. Defendant's waiver of constitutional rights taken orally and/or in writing.

Court finds plea is free and voluntary. Court finds defendant knows and understands their constitutional rights, nature of charges and consequences of plea.

Court accepts plea.

Defendant requests immediate sentence.

Defendant waives arraignment for pronouncement of judgment.

No legal cause why sentence should not now be pronounced.

Summary probation is granted under the following terms and conditions

All Convicted Count(s)

Original date granted: 06/24/2025

Expiration date: 06/24/2026

Length: 12 Month(s)

Obey all laws, ordinances, and court orders.
Be committed to the custody of the Riverside County Sheriff for 4 days.
Credit for time served (presentence) of 2 actual days plus 2 days pursuant to PC 4019 for a total of 4 days.
Net time owed: 0 days.
Pay court operations assessment fee for the following convicted count(s) 003 pursuant to PC 1465.8. [\$40 per convicted charge]
Pay conviction assessment fee for the following convicted count(s) 003 pursuant to GC 70373. [\$30 per misdemeanor and felony conviction]
Pay a fine and penalty assessment of \$1,703.00.
Pay restitution fine of \$150.00 (PC 1202.4(b)).
Pay \$150.00 for probation revocation restitution fine. Said restitution fine is stayed and the stay shall be lifted upon the revocation of probation, and if the defendant is sentenced to prison or county jail without a probation or conditional sentence imposed. (PC 1202.44)
Defendant is ordered to report and cooperate with Enhanced Collection Division immediately or within two business days of release from custody.
Do not drive with any measurable amount of alcohol or drugs in your blood, or within 6 hours of consuming any alcohol or drugs.
If arrested for driving under the influence of intoxicants, submit to any blood, breath, or urine test as requested by the arresting officer.
Do not drive without a valid license, insurance, and registration.
Attend and satisfactorily complete first offender impaired driver program for 3 months. (AB541 - .20 BAC).
Proof of Completion of AB541 program shown to the court.
Court orders Completion of AB541 program filed.
Court deems AB541 complete.
Do not relocate from the State of California (i.e. remain in another state for more than 45 consecutive days in any 12-month period) without first contacting the Probation Department to determine whether you are subject to the Interstate Compact Act. (ICAOS/PC §11180).
(Alcohol related) Advisement of rights form signed by the defendant is incorporated herein and includes the following advisements and waivers: Defendant advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely drive a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of your driving, someone is killed, you can be charged with murder. Defendant accepts terms and conditions of probation.
Count(s) 001, 002 is/are dismissed in the interest of justice. (Penal Code 1385)
- - Custody Status/Information - -
Defendant released on probation.

06/24/2025 Defendant Arraigned

06/24/2025 Minute Order: Trial Readiness Conference

06/24/2025 Proof of Completion - Impaired Driving Program

06/24/2025 Driving under the Influence - Penalties

06/24/2025 Misdemeanor Plea Form

06/24/2025 DA Statement of Reasons for Motion to Dismiss or Substitute Charges for 23152 VC (per 23653 VC)

06/24/2025 Immigration Consequences Addendum [CR087]

06/24/2025 Sentencing Memorandum

02/28/2025 Trial Readiness Conference at 8:00 AM in Department 21
Honorable Stefanie Field, Commissioner
L. Green, Courtroom Assistant
Court Reporter: None
APPEARANCES:
People represented by Deputy District Attorney, Emmalee Victoria Ann Sproul.
Defendant is represented by Kiarash Feyzjou.
Defendant is present.
Counsel/Parties stipulate the Judge Pro Tem/Commissioner, as indicated above, may hear this matter.
At 02:18 PM the following proceedings were heard:
Written notice regarding PC 1050 continuance was not provided by moving party for the following reason(s): not stated.
Defense motion to continue pursuant to PC 1050 is granted. Motion to continue is not opposed by the People. Hearing continued to 06/24/25 at 08:00 AM in Department 21. Pursuant to PC 1050(d), the court finds good cause has been shown to grant the continuance. Reason for continuance: Other .
Jury Trial set for 07/11/25 at 08:00 AM in Department 21.
Time estimate for jury trial: 4 day(s)
Defendant waives time for trial plus 45 days.
Defendant ordered to return on any and all future hearing dates.
- - Custody Status/Information - -
Defendant remains released on their own recognizance (O.R.) with the following condition(s): as previously ordered.

02/28/2025 Minute Order: Trial Readiness Conference

02/28/2025 Request for Continuance Pursuant to PC 1050

10/22/2024 Request for Continuance Pursuant to PC 1050 filed.

10/22/2024 Trial Readiness Conference at 8:00 AM in Department 21
Judicial Officer: None
Courtroom Assistant: None
Court Reporter: None
APPEARANCES:
No Appearances
Honorable Pro Tem Malvina Ovanezova, Presiding
Courtroom Assistant: L. Green
People represented by Deputy District Attorney: Maureen DuMouchel.
Defendant represented by PVT Kia Feyzjou by Mohamad Wefky.
Defense counsel appears for Defendant pursuant to 977 PC.
Defendant is not present.
Matter not called in open court.
Court has read and considered the stipulated continuance.
Written notice re: 1050 PC continuance not provided by moving party for the following reason(s): not stated.
Defense motion to continue pursuant to 1050PC is granted. Motion to continue is not opposed by the People. Hrg cont'd to 02/28/2025 at 8:00, Dept 21.
Pursuant to 1050(d) PC, the court finds good cause has been shown to grant the continuance.
1050 Reason for continuance: Counsel believes case will be resolved
Defendant waives time for trial plus 45 days.
- - Custody Status/Information - -
Remains released on conditional O.R. on the following term(s): as previously ordered.
Pre-trial Services notified that defendant was released or continued on O.R. [Riverside, Banning, and Southwest jurisdictions only]

10/22/2024 Legacy Minute Order: Trial Readiness Conference

06/26/2024 Request for Continuance Pursuant to PC 1050 filed.

06/26/2024 Trial Readiness Conference at 8:00 AM in Department 21
Judicial Officer: None
Courtroom Assistant: None
Court Reporter: None
APPEARANCES:
No Appearances
Matter not called in open court.
Honorable Pro Tem J E Holmes III, Presiding
Courtroom Assistant: E. Heredia
People represented by Deputy District Attorney: Kaydi Lopez.
Defendant represented by PVT Kia Feyzjou.
Defendant is not present.
Defense counsel appears for Defendant pursuant to 977 PC.
Defense motion to continue pursuant to 1050PC is granted. Motion to continue is not opposed by the People. Hrg cont'd to 10/22/2024 at 8:00, Dept 21.
Pursuant to 1050(d) PC, the court finds good cause has been shown to grant the continuance.
1050 Reason for continuance: Other
Defendant waives time for trial plus 45 days.
- - Custody Status/Information - -
Remains released on conditional O.R. on the following term(s): As previously ordered
Pre-trial Services notified that defendant was released or continued on O.R. [Riverside, Banning, and Southwest jurisdictions only]

06/26/2024 Legacy Minute Order: Trial Readiness Conference

04/04/2024 Agreement for Own Recognizance Release filed.

04/04/2024 Waiver of Defendant's Personal Presence Pursuant to 977 PC filed.

04/04/2024 Protective Order: Law Enforcement Body Worn Camera Evidence filed.

04/04/2024 Request for Continuance Pursuant to PC 1050 filed.

04/04/2024 Arraignment at 7:30 AM in Department 21
Judicial Officer: None
Courtroom Assistant: None
Court Reporter: None
APPEARANCES:
No Appearances
Honorable ProTem Jonathan Mendoza, Presiding
Defendant advised of the right to have matter heard before a commissioner or judge by posted and verbal notice. Defendant is deemed to have stipulated to temporary judge pursuant to CRC rule 2.816.
Courtroom Assistant: L. Green
People represented by Deputy District Attorney: Sofia Katouli-Koenig.
Defendant represented by PVT Kia Feyzjou.
Defense counsel appears for Defendant pursuant to 977 PC.
Defendant is not present.
At 10:48 the following proceedings were held:
Discovery provided to defense counsel.
Defense counsel acknowledges receipt of discovery.
Defendant's counsel waives formal arraignment.
Counsel for defendant waives formal reading of complaint and stipulates defendant has been advised of his/her legal & constitutional rights.
Defendant Advised of Constitutional Rights.
Defendant advised of right to a speedy and public trial by judge or jury.
Defendant advised of right to confront and cross examine witnesses; right to present evidence on own behalf.
Defendant advised of privilege against self-incrimination.
Defendant advised of charges and consequences of his/her plea and statutory sentencing.
Defendant advised of right to counsel; cont. to consult counsel; assignment of counsel if unable to employ private counsel.
Defendant advised of right to speedy trial; dismissal if no trial within 30/45 days after arraignment; effect of consent to waive time.
Pleads Not Guilty to all charges.
Trial Readiness Conference set for 06/26/2024 at 8:00 in Department 21.
Defendant waives time for trial plus 45 days.
Protective Order: Law Enforcement Body Worn Camera Evidence is granted.
- - Custody Status/Information - -
Released on Conditional O.R. on the following term(s): as follows:
Defendant not to drive with a measurable amount of alcohol.
Defendant not to operate a motor vehicle without a valid license, insurance and registration.
Pre-trial Services notified that defendant was released or continued on O.R.
[Riverside, Banning, and Southwest jurisdictions only]

04/04/2024 Legacy Minute Order: Arraignment

03/05/2024 Case Designation: Vertical. Case assigned to Dept. 21

06/24/2025

Superior Court of California, County of Riverside
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02/29/2024 Electronic - Complaint Filed.

02/29/2024 Electronic - Declaration in Support of Arrest Warrant Received.

02/29/2024 EFILE DA INTERFACE ENTRY

02/29/2024 Notice mailed to defendant on 02/29/2024, to appear: 04/04/2024

PROBATION/MANDATORY SUPERVISION

Type	Date Granted	Expiration Date	Status	Status Date
Probation: Summary	06/24/2025	06/24/2026	Granted	06/24/2025

The following terms and conditions are in effect:

- 01) Obey all laws, ordinances, and court orders.
- 02) Be committed to the custody of the Riverside County Sheriff for 4 days.
- 03) Pay a fine and penalty assessment of \$1,703.00.
- 04) Do not drive with any measurable amount of alcohol or drugs in your blood, or within 6 hours of consuming any alcohol or drugs.
- 05) If arrested for driving under the influence of intoxicants, submit to any blood, breath or urine test as requested by the arresting officer.
- 06) Do not drive without a valid license, insurance, and registration.
- 07) Attend and satisfactorily complete first offender impaired driver program for 3 months (AB541 - <.20 BAC).
- 08) Do not relocate from the State of California (i.e. remain in another state for more than 45 consecutive days in any 12-month period) without first contacting the Probation Department to determine whether you are subject to the Interstate Compact Act. (ICAOS/PC Â§11180).