

BAF24

People vs BENJAMIN

Felony

Banning Justice Center - Department B101

Status: Active

PARTIES

PEOPLE OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

vs

BENJAMIN

Represented By:
CHRISTOPHER GONZALEZ BY A KUZN
Brett Richard Swenson
Kevin D. Miller
Monika Vermani

Represented By:
Kiarash Feyzjou

CASE INFORMATION

Custody Status	Case Status	Ordered Bail	Blood Alcohol Level
Probation	Active	\$10,000.00	
Arrest Number	Arresting Agency	Arrest Date	Filing Date
MG240180008	Riverside County Sheriff's Department - (Riverside County) Banning	01/18/2024	05/20/2024
Continuances	6	Age in Days	462
		Last Day for Trial	Dec 17 2024
60-Day Waiver	60-Day Waiver has not been taken.		

CO-DEFENDANT INFORMATION

Name		Next Hearing	Dept.	Date	Status	
Count	Type	Charge	Description	Severity	Plea	Status
	Arrest	PC 25850 (C) (6)	Carry loaded firearm where person is not listed with DOJ	Felony		

Count	Type	Charge	Description	Severity	Plea	Status
004		PC 148(A)(1)	Willful Resist/Delay/Obstruct	Misdemeanor	Guilty	Convicted
005		PC 25850(C)(6)	Carry loaded firearm where person is not listed with DOJ	Reduced to Misdemeanor 17(b)	Guilty	Convicted

BAIL INFORMATION

Party	Bond Number	Amount	Date Filed	Status
		\$10,000.00	11/22/2024	Exonerated
		\$150.00	08/25/2025	Posted

FINE INFORMATION

Fine Amount	Amount Paid	Amount Due	Date to Pay
\$150.00	\$0.00	\$150.00	

REGISTER OF ACTIONS

Date	Action
08/27/2025	FTP warning notice mailed per 1214.1(A) PC
08/27/2025	FTP Warrant BCA type automatically requested.
08/25/2025	Bail Bond FCS1002764810 exonerated.
08/25/2025	Notice of Bail Bond Exoneration
08/25/2025	Count 005 Carry loaded firearm where person is not listed with DOJ [25850(C)(6)] disposition updated to Conviction: Guilty Plea
08/25/2025	Count 005 Carry loaded firearm where person is not listed with DOJ [25850(C)(6)] plea updated to Guilty
08/25/2025	Count 004 Willful Resist/Delay/Obstruct [148(A)(1)] disposition updated to Conviction: Guilty Plea
08/25/2025	Count 004 Willful Resist/Delay/Obstruct [148(A)(1)] plea updated to Guilty
08/25/2025	ERROR with ROA message definition 13 on [ln null, col null] with Charge:1208727
08/25/2025	\$150.00 deposited into Trust Traffic (SAP 353005) by SILVEY, BENJAMIN AARON, Receipt No. 20250825-02365

08/25/2025

Mandatory Settlement Conference at 1:30 PM in Department B304

Honorable Jorge Hernandez, Judge

K. Reyes, Courtroom Assistant

R. Macdonald CSR# 12193, Court Reporter

APPEARANCES:

People represented by Deputy District Attorney, Monika Vermani.

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

Defendant is present.

Court and counsel confer at sidebar.

Stat Code - Settlement reached after MSC hearing.

- PLEA TO THE COURT -

Defendant withdraws plea of not guilty as to count(s) 004, 005 and is re-arraigned.

Felony 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 has discussed all immigration consequences with his/her attorney.

Defendant is not requesting more time to speak with an immigration attorney.

Defendant advised if not a citizen conviction may 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 waives rights to preliminary hearing. District Attorney and Court consent to waiver.

Defendant pleads guilty to count(s) 004, 005.

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.

Case certified to Superior Court.

Defendant waives probation referral.

Court finds factual basis for the plea is based on oral statement from defendant on the record.

Oral motion by defense regarding reduce ct 5 to misdemeanor per 17b is called for hearing.

Court notes the People object

Motion granted.

Count 005 reduced from a felony to PC 25850(C)(6) - Carry loaded firearm where person is not listed with DOJ, a misdemeanor pursuant to Penal Code section 17(b).

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: 08/25/2025

Expiration date: 08/25/2026

Length: 12 Month(s)

Obey all laws, ordinances, and court orders.

Be committed to the custody of the Riverside County Sheriff for 120 days.

Credit for time served (presentence) of 0 actual days plus 0 days pursuant to PC 4019 for a total of 0 days.

Net time owed: 120 days.

120 days to be served in the Work Release Program. Report on or before 09/29/25.

Referral Notice Generated - RSO Work Release

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)

Submit to immediate search of person/property including all residence, premises, storage units, containers and vehicles under your control by, Probation officer or law enforcement officer, with or without cause. Search for the detection of weapons

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).

Do not knowingly own, possess, have under your control or immediate access to any firearm, deadly weapon, ammunition or weapon related paraphernalia or incendiary device.

Court waives the \$40 court operations assessment fee [PC 1465.8] and the \$30 conviction assessment fee [GC 70373] for each convicted count.

- COURT INSTRUCTS DEFENDANT REGARDING FIREARMS -

The court instructs the defendant that he or she is prohibited from owning, purchasing, receiving, possessing, or having under his or her custody or control any firearms, ammunition, and ammunition feeding devices, including, but not limited to magazines.

Prohibited Persons Relinquishment forms were provided to defendant. [BOF1022, BOF1023, and BOF1024]

- PROHIBITED PERSONS RELINQUISHMENT FORM FINDINGS- COURT FINDS:

Defendant has completed a Prohibited Person Relinquishment Form.

Defendant has no reportable firearms per the probation officer's report.

Defendant accepts terms and conditions of probation.

- - Custody Status/Information - -

Bail bond FCS1002764810 is exonerated.

Defendant released on probation.

08/25/2025	Minute Order: Mandatory Settlement Conference
08/25/2025	Immigration Consequences Addendum [CR087]
08/25/2025	Probation Officer's Firearm Relinquishment Report pursuant to PC 29810
08/25/2025	Prohibited Persons Relinquishment Form Findings
08/25/2025	Sentencing Memorandum