

1 SUMMER STEPHAN
District Attorney
2 JORGE DEL PORTILLO
Deputy District Attorney, SBN 241474
3 330 W. Broadway, Ste. 960
4 San Diego, California
Tel: (619) 531-4419
5 Fax: (619) 531-3340
Email: Jorge.DelPortillo@sdca.org


Clerk of the Superior Court

JUL 23 2018

By: K. LUGO, Deputy

6 Attorneys for Plaintiff
7

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN DIEGO**

10
11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA,

13 Plaintiff,

14 vs.

15 JESSICA CLAIRE MCELFRISH,

16 Defendant.
17

Case No.: CD272111

DA No.: AEE604

**DEFERRED PROSECUTION
AGREEMENT**

Date: 7/23/2018

Time: 9:00 a.m.

Dept: 2004

18 **DEFERRED PROSECUTION AGREEMENT**

19 Defendant Jessica C. McElfresh, by and through her counsel, Eugene G. Iredale, and the
20 People of the State of California, by and through their attorneys Summer Stephan, District
21 Attorney, and Jorge Del Portillo, Deputy District Attorney, enter into this Deferred Prosecution
22 Agreement (DPA).
23

24 **A. AGREEMENT**

25 Upon completion of the terms and conditions as set forth in this agreement, Defendant
26 Jessica Claire McElfresh will be permitted to plead guilty to a violation of San Diego Municipal
27 Code section 121.0302(a), as an infraction, in 12 months. This section will be charged as an
28 infraction and added as Count 14. The People will amend the complaint to add this charge and
29 dismiss the balance of the complaint on the same day the Defendant will enter her plea, so long

1 as the terms and conditions are met. The Defendant will be required to pay a fine of \$250 per San
2 Diego Municipal Code section 12.0201.

3
4 **B. TERMS AND CONDITIONS**

5 To obtain the benefits of this plea bargain, the Defendant must complete the following
6 terms and conditions:

- 7 1. Complete the California State Bar Ethics School.
- 8 2. Take the Multistate Professional Responsibility Exam and obtain a passing score of 86
9 or higher.
- 10 3. Complete 80 hours of volunteer work with a registered nonprofit organization that is
11 not affiliated with marijuana.
- 12 4. Not violate any laws, minor traffic violations excluded.

13
14 **C. STATEMENT OF FACTS**

15 On the date of the plea, the Defendant will make the following admission under penalty of
16 perjury:

17 On the date of the plea, the Defendant will agree to the following statement of facts: On
18 April 28, 2015, the defendant knowingly facilitated the use of a premises without a required
19 permit, in violation of San Diego Municipal Code section 121.0302(a), to wit: an unpermitted
20 marijuana manufacturing and distribution operation by MedWest Distribution, LLC.

21
22 **D. WAIVERS**

23 The Defendant agrees to continue to waive her right to a speedy preliminary hearing. The
24 parties agree to vacate the preliminary hearing set for July 23, 2018. The parties agree to schedule
25 a readiness conference in 12 months to enter the plea.

26 The Defendant also agrees to waive any objection to the delay of prosecution and its
27 consequences, including but not limited to: the fading of a witness's memory, the expiration of
28 evidence, and the inability to secure a witness's attendance.

29 ///

1 **E. CONSEQUENCES**

2 If the Defendant fails to meet any of the terms and conditions, prosecution of all charges
3 will resume.

4
5 **F. DECLARATIONS**

6 By signing this DPA, the Defendant makes the following declarations under penalty of
7 perjury:


- 8 1. I have not been induced to enter this DPA by any promise or representation of any kind
9 except as outlined above.
- 10 2. I am entering this DPA freely and voluntarily, without fear or threat to me or anyone closely
11 related to me.
- 12 3. I am sober and my judgement is not impaired. I have not consumed any drug, alcohol or
13 narcotic within the past 24 hours.

14
15 DATED: 7-23-18



 JESSICA C. McELFRESH
 Defendant

16
17
18 DATED: 23 July 2018



 EUGENE G. IREDALE
 Attorney for Defendant
 Jessica Claire McElfresh

19
20
21
22 DATED: 7/23/18



 JORGE DEL PORTILLO
 Deputy District Attorney