



Sacramento County District Attorney's Office

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Attn: Non-Violent Second Striker
Board of Parole Hearings
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RE: People v. Lishane Rodriguez – CDCR No. AX5086

"Drug dealers make drug users, and drug users make criminals". No truer adage exists in California jurisprudence, and has been confirmed time and time again. Inmate Rodriguez is a convicted drug dealer. He pleaded guilty to possession of marijuana for the purposes of unlawful sales. However, Inmate Rodriguez is more than just a drug dealer, he is a drug dealer with a violent past.

On September 16, 2004, Inmate Rodriguez was convicted of a felony violation of Penal Code Section 211; Robbery, for his participation in the armed robbery of an individual on March 13, 2003. On that evening, Inmate Rodriguez and his accomplice Isaiah Payton were on the local public transit when they met the victim and asked if he wanted to buy marijuana from them. When the victim got off the train, Inmate Rodriguez and his accomplice followed. Inmate Rodriguez gave a gun to his accomplice and stood guard while Payton put the gun to the victim's head and demanded money. The victim stated that Inmate Rodriguez was laughing during the event, which can only be described as terrifying. When police later contacted Inmate Rodriguez, he was in possession of the gun. Inmate Rodriguez pleaded guilty and was sentenced to 6 years state prison.

On January 25, 2005, while awaiting adjudication of the above offense, officers execute a lawful search warrant on Inmate Rodriguez's residence. Due to the extremely dangerous situation, Sacramento Police Department deployed its Special Weapons and Tactics (SWAT) unit to clear Inmate Rodriguez's house. As SWAT entered the house, Inmate Rodriguez fled out the back and was found hiding at a nearby house. Inside Inmate Rodriguez's house was a firearm and ammunition as well as a "pharmacy" of illegal narcotics. Officers located a digital scale, narcotic packaging, 80.00 grams of marijuana, 2.63 grams of cocaine, 9 MDMA pills and \$2,000.00 in cash. Inmate Rodriguez also had a firearm in his vehicle. Inmate Rodriguez was sentenced to 3 years state prison for this offense. Inmate Rodriguez was committed to CDCR on 6/28/05, and paroled on 1/27/10. Inmate Rodriguez was returned once more to custody and then discharged on 7/26/13

Even after getting out of prison, Inmate Rodriguez's violent conduct continued. Inmate Rodriguez was convicted of Penal Code 243(e); Domestic Battery, when he punched his girlfriend in the face several times. This victim was also a prostitute and Inmate Rodriguez was her pimp. She had been trying to "leave" the defendant and the lifestyle behind and make a new start. Inmate Rodriguez would have nothing of it.

On October 11, 2014, the defendant and an individual named "[REDACTED]" went to Placer County to purchase 3-5 lbs. of marijuana from the victim. With Inmate Rodriguez in the car, "[REDACTED]" bought the marijuana and threw the money into the victim's car and took off. When the victim realized that the money was fake, he pursued [REDACTED] and Inmate Rodriguez. [REDACTED] rammed the victim's car and brandished a firearm. Inmate Rodriguez pleaded to possession of more than an ounce of marijuana.

Now, in his committing offense, Inmate Rodriguez is in possession of four pounds of marijuana. Clearly, Inmate Rodriguez was once again involved in the unlawful and dangerous crime of peddling illegal substances to users. It cannot be mistaken; where Inmate Rodriguez steps, illegal narcotics transactions are not far behind. It should be noted that the People in seeking justice for the citizens of California in this case, requested a higher sentence. In response, the defendant pleaded "open" to all counts alleged, effectively taking the case out of the People's hands. Inmate Rodriguez then lobbied to the court for a lesser sentence. Inmate Rodriguez even filed a "Romero" motion, in which he asked the court to exercise its inherent Penal Code Section 1385 powers to dismiss the strike allegation. The court, who was best positioned to analyze and review Inmate Rodriguez's past and present conduct stated conclusively that Inmate Rodriguez got the best deal that he deserved. That deal, conferred by the court is justly deserved. The People respectfully request that this panel honor the court's judgement, protect the public from this illegal narcotics dealer and not grant early release.

Very Truly Yours,

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY



Mark Ott
Deputy District Attorney