

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

BANNING 311 E. Ramsey St., Banning, CA 92220
 BLYTHE 265 N. Broadway, Blythe, CA 92225
 INDIO 46-200 Oasis St., Indio, CA 92201

MURRIETA 30755-D Auld Rd., Ste. 1226, Murrieta, CA 92563
 RIVERSIDE 4100 Main St., Riverside, CA 92501

CR087

<p>PEOPLE OF THE STATE OF CALIFORNIA</p> <p>vs.</p> <p>DEFENDANT:</p>	<p><i>FOR COURT USE ONLY</i></p> <hr/> <p>CASE NUMBER:</p>
IMMIGRATION CONSEQUENCES ADDENDUM	

If you are not a U.S. citizen, you should consult your attorney or an immigration attorney about the immigration consequences of your plea, particularly if your offenses might qualify as an “aggravated felony,” crime of moral turpitude, controlled substance offense, firearm offense, or domestic violence offense (see below). It is your attorney’s obligation to provide you with accurate and affirmative advice about the immigration consequences of your plea, and you have the right to additional time to evaluate those immigration consequences. By entering a plea, you are indicating to the court you know of and understand the specific immigration consequences that will result from your conviction.

Immigration consequences are a matter of federal law. Whether an offense qualifies as one of the “aggravated felonies” listed below is determined by federal statutes and case law. (See *Esquivel-Quintana v. Sessions* (2017) 137 S.Ct. 1562, 198 L.Ed.2d.22.) **Certain offenses defined as misdemeanors under State law may be considered “aggravated felonies” under federal law.**

Any conviction of a non-citizen to an “aggravated felony” **will** result in removal/deportation, exclusion, and/or denial of naturalization. (See 8 U.S.C. § 1227(a)(2)(A)(iii).) “Aggravated felonies” (see 8 U.S.C. § 1101(a)(43)) include but are not limited to:

- (1) Murder; rape; or sexual abuse of a minor;
- (2) A crime of violence, as defined in 18 U.S.C, § 16, but not including a purely political offense;*
- (3) Trafficking of a controlled substance, firearms, destructive devices or explosive materials;
- (4) Money laundering if the amount exceeds \$10,000;
- (5) An explosive materials offense;
- (6) A firearms offense;
- (7) A theft offense, including receipt of stolen property, or burglar offense;*
- (8) Child pornography;
- (9) Pimping, Pandering, or operating a prostitution business;
- (10) Human trafficking;
- (11) Fraud or deceit in which the loss to the victim or victims exceeds \$10,000;
- (12) Failure to appear by a defendant for service of a sentence if the underlying offense is punishable by imprisonment for a term of 5 years or more, or failure to appear to answer or resolve a felony for which a sentence of 2 years’ imprisonment or more may be imposed;
- (13) Commercial bribery, counterfeiting, forgery, or trafficking in vehicles the identification numbers of which have been altered;*
- (14) Obstruction of justice, perjury or subornation of perjury or bribery of a witness:*
- (15) An attempt or conspiracy to commit any of the above offenses.

*If the term of imprisonment is at least one year.

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Other crimes (as defined by federal law) that may result in removal/deportation, exclusion, and/or denial of naturalization or other severe immigration consequences include, but are not limited to:

- (1) A crime of moral turpitude (see 8 U.S.C. §§ 1182(a)(2)(A)(i), 1227(a)(2)(A)(i));
- (2) A controlled substance offense (see 8 U.S.C. §§ 1182(a)(2)(A)(i), 1182(a)(2)(C), 1227(a)(2)(B));
- (3) A firearm or destructive devise offense (see 8 U.S.C. § 1227(a)(2)(C));
- (4) A domestic violence, stalking, or child abuse offense (see 8 U.S.C. § 1227(a)(2)(E)(i));
- (5) Violation of a protective order (see 8 U.S.C. § 1227(a)(2)(E)(ii));
- (6) A human trafficking offense (see 8 U.S.C. §§ 1182(a)(2)(H), 1227(a)(2)(F));
- (7) Multiple criminal convictions with an aggregate sentence of 5 years or more (see 8 U.S.C. § 1182(a)(2)(B));
- (8) A prostitution offense (see 8 U.S.C. § 1182(a)(2)(D));
- (9) A “serious criminal offense,” which includes any felony, a crime of violence, and reckless driving or DUI with injury (see 8 U.S.C. § 1182(a)(2)(E)).

SIGNATURES:

Defendant: I have read and understand this entire document and any addendums. I waive and give up all of the rights that I have initialed. I understand the consequences of this plea. I accept this plea agreement.

_____ (DATE) _____ (PRINT NAME) _____ (SIGNATURE)

Interpreter: Having been duly sworn, I have translated this form and any addendums to the defendant in the _____ language. The defendant has stated that he/she fully understood the contents of the form and any addendums and then initialed and signed this form and any addendums.

_____ (DATE) _____ (PRINT NAME) _____ (SIGNATURE)