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FILED
Superior Court of California
County of Placer

DEC 18 2020

~~Jake Chatters
Executive Officer & Clerk
By: K. Harding, Deputy~~

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF PLACER

13 **PEOPLE OF THE STATE OF**
14 **CALIFORNIA,**

15 Plaintiff,

16 v.

17 **ALEX MORALES III,**

18 Defendant.
19

Case No. 62-144473A

PLEA AGREEMENT

20 **PARTIES**

21 1. The People of the State of California, by and through Xavier Becerra, Attorney
22 General of California and Randy Mailman, Deputy Attorney General, and Alex Morales, III
23 (referred to herein as "defendant"), by and through his counsel of record Matthew Bockmon,
24 understand and enter into the following Plea Agreement:

25 **CHARGES**

26 2. Defendant is presently charged in a First Amended Information filed in Placer
27 County Superior Court, case number 62-144473A, with 20 counts of receiving a bribe, a felony
28

1 violation of California Penal Code section 68. The offenses are alleged to have occurred at
2 different times between August 2010 and January 2015 in the County of Placer.

3 **ADVICE OF COUNSEL**

4 3. Defendant has discussed with his attorney the facts of this case, any defenses he
5 may have, and the potential sentences that could result if he was convicted of the offenses with
6 which he is presently charged.

7 4. After speaking with his attorney, it is defendant's desire to plead guilty to the
8 charged crimes pursuant to the terms of this Plea Agreement.

9 5. Defendant understands that a change of plea pursuant to this Plea Agreement is
10 subject to the approval of the sentencing judge. Defendant further understands that if convicted
11 of one or more of the charged crimes at trial, his sentence would be determined by the judge after
12 hearing the trial.

13 **CONSTITUTIONAL RIGHTS**

14 6. By pleading guilty to the charged offenses, defendant understands and gives up, the
15 following rights:

16 a. The right to be presumed innocent and to persist in a plea of not guilty.

17 b. The right to a speedy and public trial by a court or jury, where the burden of
18 proof is upon the Attorney General to prove that defendant is guilty beyond a reasonable doubt.

19 c. The right to assistance of counsel at trial, including the right to court-appointed
20 counsel, if defendant cannot afford an attorney.

21 d. The right to confront and cross-examine witnesses.

22 e. The right against self-incrimination. That is, the right to remain silent and not
23 be compelled to testify.

24 f. The right to present evidence and to subpoena witnesses on defendant's behalf.

25 g. The right to appeal this plea to a higher court, based on any grounds, including
26 constitutional, jurisdictional, and procedural grounds.

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1 TERMS OF PLEA AGREEMENT

2 7. Defendant Alex Morales, III will enter a plea of *guilty* to each of the following
3 counts in the First Amended Information:

- 4 a. Count 2 – Receiving a bribe, a violation of Penal Code Section 68, a felony.
5 b. Count 20 – Receiving a bribe, a violation of Penal Code Section 68, a felony.

6 8. Defendant will be sentenced to state prison through the California Department of
7 Corrections and Rehabilitation for a period of 4 years as follows:

- 8 a. The sentencing court will select the upper term of 4 years' prison on count 2 as
9 the primary term.
10 b. For each of the other charges, 1/3 the mid-term (one year) will be imposed
11 concurrent to the 4-year primary term.

12 9. Defendant forfeits his employment with California Department of Transportation
13 and is forever disqualified from holding any office, employment, or appointment, with the State
14 of California.

15 10. Pursuant to California Government Code Section 7522.72, defendant shall forfeit
16 all rights and benefits in the CALPERS public retirement system accrued between August 2010
17 and January 2015 and shall not accrue further benefits in the CALPERS public retirement system.

18 11. Pursuant to Penal Code section 68, subdivision (b), based on the defendant's
19 financial status and inability to pay, no restitution fine shall be imposed.

20 12. Execution of sentence will be suspended pending defendant's completion of 2
21 years of formal supervised probation on the following terms and conditions:

- 22 a. 1 year home detention with electronic monitoring;
23 b. Pay restitution to the California Department of Transportation in the
24 amount of \$500 per month for the period of probation;
25 c. All other terms recommended by the Placer County Probation Department;
26 d. Obey all laws.

27 13. Defendant acknowledges that except as set forth in the terms of the "Plea
28 Agreement", there are no other promises, understandings, or agreements between the defendant

1 and the Attorney General.

2 14. Defendant understands and agrees that this Plea Agreement does not cover any
3 future criminal actions. In other words, if defendant commits a new crime after the signing of this
4 Plea Agreement, defendant can and should anticipate being prosecuted for any such crime.

5 15. Defendant stipulates that the factual basis for this Plea Agreement includes the
6 entire factual background of this case, including all pleadings, transcripts from the jury trial,
7 exhibits from the jury trial, Department of Justice Bureau of Investigation reports, and warrant
8 affidavits filed in the matter.

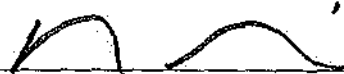
9 16. The balance of the charges will be dismissed at time of sentencing.

10 SENTENCING

11 17. The parties mutually request that the court sentence defendant the week of

12 Feb. 19, 2021. *MJ*

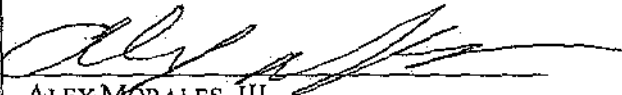
13 XAVIER BECERRA
14 Attorney General of California

15 
16 RANDY MAILMAN
Deputy Attorney General

12/18/20
DATE

17 *****

18 I have read this Plea Agreement and carefully discussed every part of it with my attorney. I
19 understand the terms of this Plea Agreement, and I voluntarily agree to its terms. My attorney has
20 advised me of my rights, of possible defenses, and of all consequences of entering into this Plea
21 Agreement. No promises or inducements have been made other than those contained in this Plea
22 Agreement. No one has threatened or forced me, in any way, to enter this plea or sign this Plea
23 Agreement, and I am satisfied with the representations of my attorney in this matter.

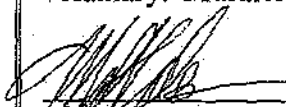
24 
25 ALEX MORALES, III

12-18-20
DATE

26 *****

27 I am the attorney for defendant Alex Morales, III. I have carefully discussed every part of this
28 Plea Agreement with my client, and I have fully advised him of his rights, of all possible

1 defenses, and of the consequences of entering a plea and signing this Plea Agreement. To my
2 knowledge, my client's decision to enter into this Plea Agreement is fully informed and
3 voluntary. I further stipulate to the factual basis stated in this Plea Agreement.

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5 _____
6 MATT BOCKMON
7 Attorney for Alex Morales, III

12/18/2020
DATE

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