

**CASH BOND**  
RECOMMENDED: \$5,000.00  
LETTER: 05-26-15

AGENCY#: MV153040059/MVPD

MICHAEL A. HESTRIN  
DISTRICT ATTORNEY

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE  
(Riverside)

**FILED**  
Superior Court of California  
County of Riverside

THE PEOPLE OF THE STATE OF CALIFORNIA,

D.A.#361667

Plaintiff,

CASE NO.

v.

TROY ERICSEN PALMER  
15736 CARMEL VERDE LANE  
MORENO VALLEY, CA 92551

FELONY COMPLAINT  
& NOTICE TO APPEAR

SPS

DOB:09/30/1982  
AKA: TROY ERICKSEN PALMER  
AKA: TROY E PALMER

Defendant.

**05/04/2016**  
MELINA SEVILLA  
**RIF1602081**

APPEARANCE NOTICE

Criminal charges have been filed against you. **You are required to appear** for arraignment at 8:30 A.M., on MAY 26, 2016, at:

HALL OF JUSTICE  
4100 MAIN STREET  
RIVERSIDE, CALIFORNIA 92501

The court calendar will list your name and the courtroom to which your case is assigned. Go there, check in, and wait to be arraigned.  
**IF YOU FAIL TO APPEAR ON THIS DATE, A WARRANT WILL BE SOUGHT FOR YOUR ARREST.**  
**BRING THIS NOTICE WITH YOU.**

COUNT 1

The undersigned, under penalty of perjury upon information and belief, declares: That the above named defendant, TROY ERICSEN PALMER, committed a violation of Penal Code section 311.11, subdivision (a), a felony, in that on or about December 15, 2015, in the County of Riverside, State of California, he did knowingly control and possess any matter, representation of information, data and image in which the production involves the use of a person under the age of 18 years, knowing that the material or matter depicts a person under the age of 18 years personally engaging in or simulating sexual conduct, as defined in subdivision (d) of Penal Code section 311.4.

## COUNT 2

That the above named defendant, TROY ERICSEN PALMER, committed a violation of Penal Code section 311.2, subdivision (c), a felony, in that on or about March 22, 2015, in the County of Riverside, State of California, he did wilfully, unlawfully, and knowingly send and cause to be sent, and bring and cause to be brought into the State of California for sale and distribution, and in the State of California possess, prepare, publish, produce, develop, duplicate, and print, with intent to distribute and exhibit to, and to exchange with, a person 18 years of age or older, and offer to distribute, distribute, and exhibits to, and exchanges with, a person 18 years of age or older matter, to wit: CHILD PORNOGRAPHY, knowing that the matter depicts a person under the age of 18 years personally engaging in or personally simulating sexual conduct, as defined in Section 311.4, subdivision (d).

## COUNT 3

That the above named defendant, TROY ERICSEN PALMER, committed a violation of Penal Code section 311.2, subdivision (c), a felony, in that on or about April 13, 2015, in the County of Riverside, State of California, he did wilfully, unlawfully, and knowingly send and cause to be sent, and bring and cause to be brought into the State of California for sale and distribution, and in the State of California possess, prepare, publish, produce, develop, duplicate, and print, with intent to distribute and exhibit to, and to exchange with, a person 18 years of age or older, and offer to distribute, distribute, and exhibits to, and exchanges with, a person 18 years of age or older matter, to wit: CHILD PORNOGRAPHY, knowing that the matter depicts a person under the age of 18 years personally engaging in or personally simulating sexual conduct, as defined in Section 311.4, subdivision (d).

## COUNT 4

That the above named defendant, TROY ERICSEN PALMER, committed a violation of Penal Code section 311.2, subdivision (c), a felony, in that on or about October 24, 2015, in the County of Riverside, State of California, he did wilfully, unlawfully, and knowingly send and cause to be sent, and bring and cause to be brought into the State of California for sale and distribution, and in the State of California possess, prepare, publish, produce, develop, duplicate, and print, with intent to distribute and exhibit to, and to exchange with, a person 18 years of age or older, and offer to distribute, distribute, and exhibits to, and exchanges with, a person 18 years of age or older matter, to wit: CHILD PORNOGRAPHY, knowing that the matter depicts a person under the age of 18 years personally engaging in or personally simulating sexual conduct, as defined in Section 311.4, subdivision (d).

MARSY'S LAW

Information contained in the reports being distributed as discovery in this case may contain confidential information protected by Marsy's Law and the amendments to the California Constitution Section 28. Any victim(s) in any above referenced charge(s) is entitled to be free from intimidation, harassment, and abuse. It is unlawful for defendant(s), defense counsel, and any other person acting on behalf of the defendant(s) to use any information contained in the reports to locate or harass any victim(s) or the victim(s)'s family or to disclose any information that is otherwise privileged and confidential by law. Additionally, it is a misdemeanor violation of California Penal Code § 1054.2a(3) to disclose the address and telephone number of a victim or witness to a defendant, defendant's family member or anyone else. Note exceptions in California Penal Code § 1054.2a(a) and (2).

I declare under penalty of perjury upon information and belief under the laws of the State of California that the foregoing is true and correct.

Michael A. Hestrin  
District Attorney

Dated: May 4, 2016

By: Teresa K.B. Beecham  
Deputy District Attorney

iw

# RIVERSIDE SUPERIOR COURT

PUBLIC ACCESS

## Minute Order

<b>Defendant Name:</b> TROYERICSEN PALMER		
<b>Case Number:</b> RIF1602081		<b>File Date:</b> 5/4/2016
<b>Action Date:</b> 10/18/2016	<b>Action Time:</b> 8:30 AM	<b>Department:</b> 63
<b>Action Description:</b> Felony Settlement Conference		
<p>Honorable Judge Helios J. Hernandez, Presiding</p> <p>Clerk: C. Yorba.</p> <p>Court Reporter: D. Wagner</p> <p>People represented by Deputy District Attorney: Teresa Beecham.</p> <p>Defendant represented by Pvt-Dyke Huish.</p> <p>Defendant Present.</p> <p>At 11:21 the following proceedings were held:</p> <p>Defendant waives formal arraignment.</p> <p>Defendant withdraws plea of not guilty as to count(s) 1 and is rearraigned.</p> <p>Felony Plea form is incorporated herein and includes the following advisements and waivers:</p> <p>Defendant Waives Constitutional Rights.</p> <p>Defendant advised of right to a speedy and public trial by judge or jury.</p> <p>Defendant advised of right to confront and cross examine witnesses; right to present evidence on own behalf.</p> <p>Defendant advised of privilege against self-incrimination.</p> <p>Defendant advised of charges and consequences of his/her plea and statutory sentencing.</p> <p>Court finds based on inquiry and examination of deft, that deft has the ability to understand and does understand his/her constitutional rights.</p> <p>Defendant waives right to Trial by Jury.</p> <p>Defendant waives right to confront and cross examine witnesses.</p> <p>Defendant waives privilege against self incrimination.</p> <p>Defendant waives rights to Preliminary Hearing. District Attorney and Court consent to waiver.</p> <p>Defense counsel concurs in defendant's plea and/or admissions.</p> <p>Defendant pleads Guilty to Count(s) 1.</p> <p>Court Accepts Plea.</p> <p>Case certified to Superior Court</p> <p>Commence Certification.</p>		

**Defendant Name: TROY ERICSEN PALMER**

**Case Number: RIF1602081**

**File Date: 5/4/2016**

**Action Date: 10/18/2016**

**Action Time: 8:30 AM**

**Department: 63**

**Action Description: Felony Settlement Conference**

Defendant requests immediate sentence.

Defendant waives probation referral.

Court finds factual basis for the plea is based on Oral Statement from Defendant on the record.

Defendant waives arraignment for pronouncement of judgment.

No legal cause why sentence should not now be pronounced.

For The Charge(s) 1.

Formal Probation is granted for a period of 36 months under the following terms and conditions:

Obey all laws, ordinances, and court orders.

Be committed to the custody of the Riverside County Sheriff for 240 days;

Report immediately to the Riverside Sheriff's Live Scan office for fingerprinting requirement pursuant to 853.6(g) PC. (Riverside)

Referral Notice Generated - Live Scan (Riverside)

TERM: 60 days of jail time to be completed at Seal Beach

City Jail or other approved jail. Deft. to submit

order for court dignature upon approval of Seal

Beach by 1/6/17. Provide proof to Probation.

Count(s) 2 3 4 dismissed in the interest of justice. (1385 PC)

For The Charge(s) 1.

179 days to be served in the Work Release Program. Report on or before 03/03/2017.

Referral Notice Generated - RSO Work Release

Pay booking fees of \$514.58 (GC 29550).

Pay restitution fine of \$300.00 (PC 1202.4(b)).

Pay \$300.00 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)

Pay victim restitution. Amount to be determined by the Probation Department (PC 1203.1(a)(3)).

Any disputes as to restitution amount to be resolved in a court hearing.

**Defendant Name:** TROYERICSEN PALMER

**Case Number:** RIF1602081

**File Date:** 5/4/2016

**Action Date:** 10/18/2016

**Action Time:** 8:30 AM

**Department:** 63

**Action Description:** Felony Settlement Conference

If your fine(s) or actual restitution is not paid in full within 120 days prior to probation expiration you are ordered to re-contact Enhanced

Collections Division and complete a new Financial Disclosure Statement form. (PC 1202.4(f)(11))

Defendant ordered to report and cooperate with Enhanced Collection Division immediately or within two business days of release from custody.

Submit to immediate search/property including all residence/premises/storage units, containers and vehicles under your control; by Probation officer or law enforcement officer; with or without cause;

Provide a DNA sample as directed by Probation or law enforcement personnel (PC 296(a)).

Authorized agency to forward specimens to DOJ for analysis. Defendant to show proof of compliance to clerk of the court within 30 days.

Register with local law enforcement within 5 days from today or within 5 days upon release from custody pursuant to 290 PC.

and thereafter as required by law as to your place of residence.

Participate and complete at your expense any counseling, rehabilitation/treatment program deemed appropriate by probation officer; and authorize

the release of information relative to progress.

Do not associate with any unrelated person you know to be on either probation, parole, mandatory supervision or post release community supervision.

Do not leave the State of California without first obtaining written permission of the probation department per the Interstate Compact Act.

Inform the probation officer of your place of residence and reside at a residence approved by the probation officer.

Give written notice to the probation officer 24 hours before changing your residence and do not move without the approval of the probation officer.

Seek and maintain gainful employment or attend a full-time school or vocational program;

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.

Firearms prohibiting notification forms provided to defendant [BOF110].

If expelled or deported, do not re-enter the United States illegally.

If expelled, deported, or voluntarily leave the United States, you must report to the Probation Department by telephone

or in writing within 30 days of departure.

Report to probation officer immediately or within 2 days of release from custody for initial instructions, and follow all reasonable directives of PO.

Report any law enforcement contacts to the Probation Officer within 48 hours.

As to count(s) 1, Court Operations Assessment fee of \$40 imposed for each convicted charge. (1465.8 PC)

**Defendant Name:** TROY ERIC SEN PALMER

**Case Number:** RIF1602081

**File Date:** 5/4/2016

**Action Date:** 10/18/2016

**Action Time:** 8:30 AM

**Department:** 63

**Action Description:** Felony Settlement Conference

Pay conviction assessment fee for the following convicted count(s) 1. (GC 70373). [\$30.each misd and felony]

Pay the costs of probation supervision in an amount to be determined by the Probation Department.

Based on the level of supervision, the costs will range from \$591.12 to \$3744.00. (PC 1203.1b).

Do not associate with any unrelated female minor, unless accompanied by a responsible adult approved by the probation officer.

**TERM:** Stay away from places minor's congregate such as

locations especially dedignated for use by minors

unless accompanied by a responsible adult approved

by Probtion.

**TERM:** Stay 200 yards away from and do not enter premises

described as parks/schools/libraries/daycare

senters/amusements parks/etc unless accompanied

by a responsible adult approved by Probation.

Do not accept or work in any position where there are minors present.

Do not conceal the source, destination, or content of any electronic communication.

Provide truthful information concerning your identity in all internet and e-mail communications and to all electronic communication service providers.

Provide telephone,internet service,accounting information,including passwords,logins,access codes for personally held accounts to any computer or net

work, and any means of access to computers and computer networks.

Provide this information on a monthly basis or as directed by the probation officer.

Submit to immediate search and seizure of computers,memory storage devices,electronic mail,internet accounts, and data & information contained herein;

with or without reasonable cause by the probation officer or law enforcement.

Do not knowingly possess any encryption technology or software designed to delete, conceal, protect or secure computer log files or electronically

stored data on media, including hard drives, optical media, removable storage devices, from access to any law enforcement agency or probation officer.

Do not engage in any communication on the internet with anyone identified as a minor or anyone you know to be a minor, unless authorized by probation

officer. Not visit any 'chat rooms' message board forums, similar internet sites where minors are known to frequent.

Do not visit any 'chat rooms' message board forums or similar internet sites where minors are known to frequent.

**Defendant Name:** TROYERICSEN PALMER

**Case Number:** RIF1602081

**File Date:** 5/4/2016

**Action Date:** 10/18/2016

**Action Time:** 8:30 AM

**Department:** 63

**Action Description:** Felony Settlement Conference

Only possess computer hardware or software approved by the probation officer. Do not obtain additional computer hardware, software,

or internet service without approval of the probation officer.

Enroll in, participate, complete and pay costs for a state certified sexual offender management Program. Cooperate with treatment guidelines as directed by program provider or probation to include psychological and physiological testing.

Treatment will be a minimum of one year, or for the duration of probation. (PC 1203.067(b))

Waive any psychotherapist/doctor-patient privilege to enable communication between sex offender management professional and probation officer.

Waive privilege against self-incrimination and participate in periodic polygraph examinations, at offender's expense, as directed by Probation Officer or treatment provider. Polygraph examiner to provide results to the Probation Officer upon request.

Do not knowingly own, use, possess any form of sexually explicit movies, videos, material, or devices unless recommended by a therapist

and approved by the Probation Officer. Do not enter any establishment where such items are the primary items viewed or sold, and do not utilize any sexually oriented telephone services.

Stipulated forfeiture signed by the Court.

4th waiver and EPCA search/seizure consent signed by the Court.

Defendant accepts terms and conditions of probation.

-- Custody Status/Information --

Released On Probation

Save Minute Order to case.

Close Case.

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TROY PALMER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE  
FELONY PLEA FORM

*[Signature]*

People v. Troy Palmer

Case Number RIF1602081

A. ADVISEMENT OF RIGHTS:

- TP 1. I have the right to a speedy and public trial by a judge or jury.
- TP 2. At my trial, I have the right to face and cross-examine any witnesses against me.
- TP 3. I have the right to ask the court to compel witnesses to attend my trial at no expense to me, and to present evidence in my defense.
- TP 4. I have the right against self-incrimination. I cannot be forced to testify against myself, but I also have the right to testify in my own defense if I choose to do so.
- TP 5. I have the right to be represented by a lawyer throughout my trial. If I cannot afford one, the court will appoint one to represent me at no cost to me.

B. CONSEQUENCES OF PLEA (1 through 5 apply to everyone):

- TP 1. As a convicted felon, I will not be able to own or possess any firearm. I will be ordered to pay restitution to the victim(s) if the victim(s) suffered economic harm. I agree that the amount of victim restitution is TED. If the parties do not agree, the probation department will determine the amount. If I disagree with the amount, I must promptly request a hearing.
- TP 2. Charges and/or enhancements may have been dismissed as part of this negotiated disposition with the District Attorney's Office. I agree that I will be ordered to pay restitution to the victim(s) of the dismissed charges and/or enhancements if the victim(s) suffered economic harm.
- TP 3. I will be ordered to pay a restitution fine of at least \$240 and not more than \$10,000. There are several other fines and fees that will be imposed as a result of this guilty plea.
- TP 4. If I am not a citizen of the United States, I understand that this conviction may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- TP 5. If I receive a state prison term, I will be placed on parole or local community supervision after completing the term. Parole or local community supervision will be for the term specified by law. Generally, parole is for up to five years and local community supervision is for up to three years. If my term of imprisonment is life, and I am ever granted parole, it may be for life. If I violate any of the terms of parole, I could be returned to state prison for up to one year per violation. If I violate any of the terms of local community supervision, I could be incarcerated in county jail for up to 180 days per violation.
- TP 6. If I am sentenced to county jail, a portion of my term may be suspended and, upon release from jail, I may be placed on mandatory supervision. If I violate any of the terms and conditions of my mandatory supervision, I could be returned to county jail for up to the remainder of my suspended jail term.
- TP 7. I will be required to give a DNA sample.
- TP 8. My driving privileges will be suspended or revoked by the Department of Motor Vehicles.
- TP 9. I understand that because I am pleading guilty to a qualifying offense, I will be ordered to register with law enforcement as a(n) PC 290 and that if I fail to register or to keep my registration current for any reason, new criminal charges may be filed against me. I understand that registration as a sex offender is a life long requirement.
- TP 10. I will be required to undergo AIDS testing.
- X 11. Being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If I drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, I can be charged with murder.
- X 12. Other \_\_\_\_\_

C. DEFENDANT'S STATEMENT:

- TP 1. All the promises made to me are written on this form, or stated in open court.
- TP 2. No one has made any threats to me or anyone close to me, or placed any pressure of any kind on me in order to make me plead guilty.

OCT 19 2016

- TP 3. I understand that if I violate any of my probation terms, I could be sentenced to the maximum custody term possible under these charges as set forth under "Plea Agreement", item 2.
- TP 4. I have had adequate time to discuss with my attorney (1) my constitutional rights, (2) the consequences of any guilty plea, and (3) any defenses I may have to the charges against me.
- TP 5. As part of this plea, I (circle one) do do not waive any right to appeal that I may have.
- TP 6. Factual Basis: I agree that I did the things that are stated in the charges that I am admitting.

**D. PLEA AGREEMENT:**

1. I will enter a guilty plea to the following charges and enhancements:

C1 - 311.11(a)

The Prosecutor will dismiss any charges and enhancements that I do not admit.

2. The maximum possible custody commitment for the admitted charges and enhancements is: 3 YEARS

3. My guilty pleas are conditional on receiving the following considerations as to sentence:

a) Formal probation will (circle one) be 1) denied; 2) granted; 3) decided by the court. If granted, the length of formal probation may be up to five years. If probation is granted, a suspended state prison sentence or felony county jail term (circle one) will/will not be imposed. A suspended felony county jail term may include a period of mandatory supervision for up to the remainder of the suspended jail term. The following legal restrictions apply to a decision to grant probation in this case:

b) The custody term will be 60 STRAIGHT + 180 WEEKENDS (240 TOTAL) (stip)  
The custody term shall not be more than \_\_\_\_\_ (top)  
The custody term shall not be less than \_\_\_\_\_ (floor)

c) Fines: \_\_\_\_\_

d) Other: \_\_\_\_\_

e) Credit for time served will be \_\_\_\_\_ days actual; \_\_\_\_\_ days  4019  2933; \_\_\_\_\_ total.

**E. SIGNATURES**

**District Attorney:** The above is a correct statement of the Plea Agreement between defense and prosecution.

10/18/16 [Signature] \_\_\_\_\_  
Date Print Name Sign Name

**Defendant:** I have read and understand this entire document. I waive and give up all of the rights that I have initiated. I accept this Plea Agreement.

10/18/16 TROY PALMER \_\_\_\_\_  
Date Print Name Sign Name

**Defense Attorney:** I am the attorney for the defendant. I am satisfied that (1) the defendant understands his/her constitutional rights and understand that a guilty plea would be a waiver of these rights; (2) the defendant has had an adequate opportunity to discuss his/her case with me, including any defenses he/she may have to the charges; and (3) the defendant understands the consequences of his/her guilty plea. I join in the decision of the defendant to enter a guilty plea.

10/18/16 DUKE HUISE \_\_\_\_\_  
Date Print Name Sign Name

**Interpreter:** Having been duly sworn, I have translated this form to the defendant in the \_\_\_\_\_ language. The defendant has stated that he/she fully understood the contents of the form prior to signing.

\_\_\_\_\_  
Date Print Name Sign Name

Original

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE  
SENTENCING MEMORANDUM

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

OCT 18 2016



*Handwritten signature*

JCL

OCT 19 2016

Page 1 of 2  
People v. TROY ERICSEN PALMER

THE FOLLOWING TERMS AND CONDITIONS  
ARE ORDERED BY THE COURT

Case Number RIF1602081

MISDEMEANOR  FELONY

Proceedings are suspended. **(PAS)**  
Formal probation granted for 36 months. **(FPG)**  
Obey all laws, ordinances, and court orders. **(T1)**  
Charges admitted: Ct. 1: 311.11(a) PC

CUSTODY / WORK PROGRAMS / COMMUNITY SERVICE

Be committed to the custody of RSO for 240 days. **(TAA)**  
Custody to be served as follows:  
179 days to be served in the Work Release Program. Report on or before 12/13/16  
3/3/17 **(TAJ1)**  
Credit time served: 1 days actual + 0 days PC § 4019. **(CTS)**  
Report immediately to the Riverside Sheriff's Live Scan office for fingerprinting: [I=IN], [R=RI], and [S=SW]. **(TXYS)**

FINES / FEES / RESTITUTION All fines, fees, and restitution imposed shall be paid to the Court, as directed by the Enhanced Collections Division

Pay booking fees of \$ 514.58 (GC § 29650). **(TXV1)**  
Pay restitution fine of \$ 300.00 (PC § 1202.4(b)). **(TYC)**  
Pay probation revocation restitution fine of \$ 300.00 (PC § 1202.44). Stayed pending completion of probation. **(TYF1)**  
Pay victim restitution; amount to be determined by the Probation Department; disputes as to the amount to be resolved at a court hearing (PC § 1203.1(a)(3)). **(TCB/Z)**  
If your fine(s) or actual restitution is not paid in full more than 120 days before completion of probation you are ordered to re-contact Enhanced Collections and complete a new Financial Disclosure Statement form (PC § 1202.4(f)(1)). **(TYG/A)**  
Report to/cooperate with Enhanced Collections immediately or within two business days of release from custody. **(DORECD)**

DRUG / SEARCH / TEST PROGRAM TERMS

Submit to immediate search of person/property including all residences/premises/storage units, containers, & vehicles under your control; by Probation Officer or law enforcement officer, with or without cause. **(TEA1/A)**  
Provide a DNA sample as directed by probation or law enforcement personnel (PC § 296(a)). **(TEF2)**  
Register with local law enforcement within 5 days from today or within 5 days upon release from custody; PC 290 **(THK1)**  
Participate and complete at your expense any counseling, rehabilitation/treatment, program deemed appropriate by probation officer; and authorize release of information relative to progress. **(THF/A)**  
\*Submit proof of enrollment and/or completion of the above noted programs as directed by your Probation Officer and/or Alternative Sentencing.

ASSOCIATION / RESIDENCE / WORK TERMS

Do not associate with any unrelated person you know to be on probation or parole. **(THO)**  
Do not leave the State of California without first obtaining written permission of the probation department per the interstate Compact Act. **(THR)**  
Inform the probation officer of your place of residence and reside at residence approved by the probation officer. **(THC)**  
Give written notice to the probation officer 24 hours before changing your residence and do not move without the approval of the probation officer. **(THC1)**  
Seek and maintain employment or attend a full time school or vocational program. **(THB)**

ADDITIONAL PROBATION TERMS

Do not knowingly own/possess/have under your control/immediate access to any firearm/deadly weapon, ammunition or weapon related paraphernalia/incendiary device. **(THJ1/A)**  
Other: 80 days to be completed at Seal Beach City Jail or other approved city jail. Defendant to submit order for court signature upon approval of Seal Beach City Jail. Defendant to report to for Work Release Program on or before March 3, 2017 for 171 days of Work Release. Defendant to report to Seal Beach on or before 1/6/2017. Defendant to provide proof of city jail completion to Probation.

ADDITIONAL FORMAL PROBATION TERMS

If expelled or deported, do not re-enter the united States illegally. **(THM1)**  
If expelled, deported, or voluntarily leave the United States, you must report to probation by telephone or in writing within 30 days of departure. **(THM2)**  
Report to probation officer immediately or upon release from custody, and abide by all reasonable directives of probation officer. **(THL)**  
Report any law enforcement contacts to probation officer within 48 hours. **(THI)**

ADDITIONAL ORDERS OF THE COURT

Pay court operations assessment fee of \$40 per convicted charge (PC § 1465.8). **(TXX)**  
Pay court conviction assessment fee of \$30 per convicted misdemeanor/felony charge (GC § 70373). **(TXW)**  
Pay the costs of probation supervision in an amount to be determined by Probation. Based on the level of supervision, the costs will range from \$591.12 to \$3,744.00 (PC § 1203.1b). **(TXM/A)**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE



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SENTENCING MEMORANDUM

People v. TROY ERICSEN PALMER

Case Number RIF1602081

Revised 09/19/16 CR002

I have read, I understand, and I accept these terms and conditions of probation on pages one and two.

Defendant: [Signature]

Defense Attorney: [Signature]

District Attorney: [Signature]

Interpreter: \_\_\_\_\_

Dated: 10/18/16

IT IS SO ORDERED: H. J. HERNANDEZ JUDICIAL OFFICER

NOTICE TO DEFENDANT: If you have been placed on probation, you have the right to ask the court either (1) to allow you to withdraw your plea of guilty or of nolo contendere and to enter a plea of not guilty, or (2) if you were convicted after a plea of not guilty, to set aside the verdict of guilty. (For details, see Penal Code section 1203.4.) If you have been convicted of a misdemeanor and not placed on probation, and one year has passed since pronouncement of judgment, you have the right to make a similar request. (For details, see Penal Code section 1203.4a.) Forms on which to make such requests are available in the clerk's office.

**FILED**

MAR 21 2017

OSTEOPATHIC MEDICAL BOARD  
OF CALIFORNIA

BEFORE THE  
OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 900-2016-000237

**Troy Eriksen Palmer, D.O.**  
6581 Eagle Drive  
Chino, CA 91710

Osteopathic Physician's and Surgeon's  
Certificate No. 20A14628

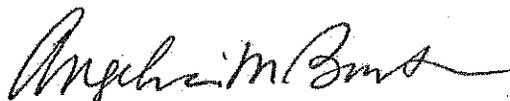
Respondent

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Disciplinary Order is hereby adopted by the Osteopathic Medical Board of California, Department of Consumer Affairs, as its Decision in the above-entitled matter.

This Decision shall become effective on April 4, 2017.

It is so ORDERED March 21, 2017.



ANGELINA M. BURTON, EXECUTIVE DIRECTOR  
FOR THE OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS  
Attorney General of California  
2 E. A. JONES III  
Supervising Deputy Attorney General  
3 WENDY WIDLUS  
Deputy Attorney General  
4 State Bar No. 82958  
California Department of Justice  
5 300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
6 Telephone: (213) 897-2867  
Facsimile: (213) 897-9395  
7 E-mail: Wendy.Widlus@doj.ca.gov  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 900-2016-000237

12 TROY ERICSEN PALMER, D.O.  
13 6581 Eagle Drive  
14 Chino, CA 91710

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 Osteopathic Physician's and Surgeon's  
Certificate No. 20A 14628,

16 Respondent.

17  
18  
19 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-  
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Angelina M. Burton (Complainant) is the Executive Director of the Osteopathic  
23 Medical Board of California (Board). She brought this action solely in her official capacity and is  
24 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
25 Wendy Widlus, Deputy Attorney General.

26 2. TROY ERICSEN PALMER, D.O. (Respondent) is represented in this proceeding by  
27 attorney Dyke Huish, whose address is The Law Offices of Dyke E Huish, 26161 Marguerite  
28 Parkway, Suite B, Mission Viejo, CA 92692.







1 DATE:

12/29/2016

  
TROY ERICKSON PALMER, D.C.  
Respondent

2  
3 I have read and fully discussed with Respondent TROY ERICKSON PALMER, D.C. the  
4 terms and conditions and other matters contained in this Stipulated Surrender of License and  
5 Order. I approve its form and content.

6 DATE:

12/29/2016

  
TRACY M. SMITH  
Attorney for Respondent

7  
8  
9 **ENDORSEMENT**

10 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
11 for consideration by the Osteopathic Medical Board of California of the Department of Consumer  
12 Affairs.

13 Date:

12/29/16

Respectfully submitted,

KAROL A. HARRIS  
Attorney General of California  
B. A. JONES III  
Supervising Deputy Attorney General

  
WENDY W. W. W.  
Deputy Attorney General  
Attorneys for Complainant

21  
22  
23  
24  
25  
26  
27  
28

**Exhibit A**

**Accusation No. 900-2016-000237**

1 KAMALA D. HARRIS  
Attorney General of California  
2 E. A. JONES III  
Supervising Deputy Attorney General  
3 State Bar No. 71375  
California Department of Justice  
4 300 So. Spring Street, Suite 1702  
Los Angeles, CA 90013  
5 Telephone: (213) 897-2543  
Facsimile: (213) 897-9395  
6 *Attorneys for Complainant*

**FILED**

NOV 14 2016

**OSTEOPATHIC MEDICAL BOARD  
OF CALIFORNIA**

7 **BEFORE THE**  
8 **OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 900-2016-000237

12 **TROY ERICSEN PALMER, D.O.**  
26520 Cactus Ave.  
Moreno Valley, CA 92551

**A C C U S A T I O N**

13 **Osteopathic Physician's and Surgeon's**  
14 **Certificate No. 20A 14628,**

Respondent.

15  
16 Complainant alleges:

17 **PARTIES**

18 1. Angelina M. Burton (Complainant) brings this Accusation solely in her official  
19 capacity as the Executive Director of the Osteopathic Medical Board of California, Department of  
20 Consumer Affairs.

21 2. On or about April 20, 2016, the Osteopathic Medical Board of California issued  
22 Osteopathic Physician's and Surgeon's Certificate Number 20A 14628 to Troy Ericson Palmer,  
23 D.O. (Respondent). The Osteopathic Physician's and Surgeon's Certificate was in full force and  
24 effect at all times relevant to the charges brought herein and will expire on September 30, 2017,  
25 unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Osteopathic Medical Board of California  
28 (Board), Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code unless otherwise indicated.

2 4. Section 3600 of the Code states that the law governing licentiates of the Osteopathic  
3 Medical Board of California is found in the Osteopathic Act and in Chapter 5 of Division 2,  
4 relating to medicine.

5 5. Section 3600-2 of the Code states:

6 "The Osteopathic Medical Board of California shall enforce those portions of the Medical  
7 Practice Act identified as Article 12 (commencing with Section 2220), of Chapter 5 of Division 2  
8 of the Business and Professions Code, as now existing or hereafter amended, as to persons who  
9 hold certificates subject to the jurisdiction of the Osteopathic Medical Board of California,  
10 however, persons who elect to practice using the term or suffix 'M.D.' as provided in Section  
11 2275 of the Business and Professions Code, as now existing or hereafter amended, shall not be  
12 subject to this section, and the Medical Board of California shall enforce the provisions of the  
13 article as to persons who make the election. After making the election, each person so electing  
14 shall apply for renewal of his or her certificate to the Medical Board of California, and the  
15 Medical Board of California shall issue renewal certificates in the same manner as other renewal  
16 certificates are issued by it."

17 6. Section 2234 of the Code states:

18 The board shall take action against any licensee who is charged with unprofessional  
19 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not  
20 limited to, the following:

21 "(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the  
22 violation of, or conspiring to violate any provision of this chapter.

23 "(b) Gross negligence.

24 "(c) Repeated negligent acts. To be repeated, there must be two or more negligent acts or  
25 omissions. An initial negligent act or omission followed by a separate and distinct departure from  
26 the applicable standard of care shall constitute repeated negligent acts.

27 "(1) An initial negligent diagnosis followed by an act or omission medically appropriate for  
28 that negligent diagnosis of the patient shall constitute a single negligent act.

1           “(2) When the standard of care requires a change in the diagnosis, act, or omission that  
2 constitutes the negligent act described in paragraph (1), including, but not limited to, a  
3 reevaluation of the diagnosis or a change in treatment, and the licensee's conduct departs from the  
4 applicable standard of care, each departure constitutes a separate and distinct breach of the  
5 standard of care.”(d) Incompetence.

6           “(e) The commission of any act involving dishonesty or corruption which is substantially  
7 related to the qualifications, functions, or duties of a physician and surgeon.

8           “(f) Any action or conduct that would have warranted the denial of a certificate.

9           “(g) The practice of medicine from this state into another state or country without meeting  
10 the legal requirements of that state or country for the practice of medicine. Section 2314 shall not  
11 apply to this subdivision. This subdivision shall become operative upon the implementation of  
12 the proposed registration program described in Section 2052.5.

13           “(h) The repeated failure by a certificate holder, in the absence of good cause, to attend and  
14 participate in an interview by the board. This subdivision shall only apply to a certificate holder  
15 who is the subject of an investigation by the board.”

16           7. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
17 administrative law judge to direct a licensee found to have committed a violation or violations of  
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
19 enforcement of the case.

20           8. Section 2236 of the Code states:

21           “(a) The conviction of any offense substantially related to the qualifications, functions, or  
22 duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this  
23 chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction  
24 occurred.

25           “(b) The district attorney, city attorney, or other prosecuting agency shall notify the Division  
26 of Medical Quality of the pendency of an action against a licensee charging a felony or  
27 misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice  
28 shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting

1 agency shall also notify the clerk of the court in which the action is pending that the defendant is a  
2 licensee, and the clerk shall record prominently in the file that the defendant holds a license as a  
3 physician and surgeon.

4 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours  
5 after the conviction, transmit a certified copy of the record of conviction to the board. The  
6 division may inquire into the circumstances surrounding the commission of a crime in order to fix  
7 the degree of discipline or to determine if the conviction is of an offense substantially related to  
8 the qualifications, functions, or duties of a physician and surgeon.

9 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to  
10 be a conviction within the meaning of this section and Section 2236.1. The record of conviction  
11 shall be conclusive evidence of the fact that the conviction occurred.”

12 9. Section 2232 of the Code states:

13 (a) Except as provided in subdivisions (b), (c), and (d), the board shall promptly revoke the  
14 license of any person who, at any time after January 1, 1947, has been required to register as a sex  
15 offender pursuant to the provisions of Section 290 of the Penal Code.

16 (b) This section shall not apply to a person who is required to register as a sex offender  
17 pursuant to Section 290 of the Penal Code solely because of a misdemeanor conviction under  
18 Section 314 of the Penal Code.

19 (c) (1) Five years after the effective date of the revocation and three years after successful  
20 discharge from parole, probation, or both parole and probation if under simultaneous supervision,  
21 an individual who after January 1, 1947, and prior to January 1, 2005, was subject to subdivision  
22 (a), may petition the superior court, in the county in which the individual has resided for, at  
23 minimum, five years prior to filing the petition, to hold a hearing within one year of the date of  
24 the petition, in order for the court to determine whether the individual no longer poses a possible  
25 risk to patients. The individual shall provide notice of the petition to the Attorney General and to  
26 the board at the time of its filing. The Attorney General and the board may present written and  
27 oral argument to the court on the merits of the petition.

28 (2) If the court finds that the individual no longer poses a possible risk to patients, and

1 there are no other underlying reasons for which the board pursued disciplinary action, the court  
2 shall order, in writing, the board to reinstate the individual's license within 180 days of the date of  
3 the order. The board may issue a probationary license to a person subject to this paragraph subject  
4 to terms and conditions, including, but not limited to, any of the conditions of probation specified  
5 in Section 2221.

6 (3) If the court finds that the individual continues to pose a possible risk to patients, the  
7 court shall deny relief. The court's decision shall be binding on the individual and the board, and  
8 the individual shall be prohibited from filing a subsequent petition under this section based on the  
9 same conviction.

10 (d) This section shall not apply to a person who has been relieved under Section 290.5 of  
11 the Penal Code of his or her duty to register as a sex offender, or whose duty to register has  
12 otherwise been formally terminated under California law.

#### 13 CAUSE FOR DISCIPLINE

#### 14 (Conviction of a Crime)

15 10. Respondent is subject to disciplinary action under section 2236 of the Code in that he  
16 was convicted of a crime substantially related to the qualifications, functions, or duties of a  
17 osteopathic physician and surgeon, to wit, possessing matter depicting a minor in a sexual act.  
18 The circumstances are as follows:

19 11. On or about October 18, 2016, in the case entitled *The People of the State of*  
20 *California v. Troy Ericson Palmer*, Riverside County Superior Court Case No. RIF1602081,  
21 Respondent was convicted on a plea of guilty of a violation of Penal Code section 311.11,  
22 subdivision (a), possession of material depicting a minor in a sexual act.

23 12. On or about October 18, 2016, in the case entitled *The People of the State of*  
24 *California v. Troy Ericson Palmer*, Riverside County Superior Court Case No. RIF1602081,  
25 Respondent was placed on formal probation for a term of three years, committed to the custody of  
26 the Riverside Sheriff's Department for 240 to include 60 days of jail time commencing January 6,  
27 2017, and 179 days to be served in a Work Release Program. In addition, Respondent was  
28 ordered to pay certain fines and fees and to pay restitution in an amount to be determined.

1 Respondent was also ordered to register with local law enforcement within five days from  
2 October 18, 2016, or within five days from release from custody, pursuant to Penal Code section  
3 290 (Sex Offender Registration Act).

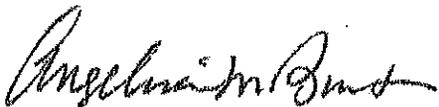
4 13. In addition, among other probation requirements, Respondent was ordered not to  
5 accept or work in any position where there are minors present, not to associate with any unrelated  
6 female minor unless accompanied by a responsible adult approved by the probation officer, not to  
7 engage in any communication on the Internet with anyone identified as a minor or anyone he  
8 knows to be a minor unless authorized by the probation officer, not to visit any "chat room"  
9 message board forums, similar Internet sites where minors are known to frequent, not to own, use,  
10 or possess any form of sexually explicit movies, videos, material, or devices unless recommended  
11 by a therapist and approved by the probation officer, and to enroll in, participate and complete and  
12 pay costs for a state certified sexual offender management program.

13 PRAYER

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
15 and that following the hearing, the Osteopathic Medical Board of California issue a decision:

- 16 1. Promptly revoke Osteopathic Physician's and Surgeon's Certificate Number 20A  
17 14628, issued to Troy Ericson Palmer, D.O.;
- 18 2. Ordering him to pay the Osteopathic Medical Board of California the reasonable costs  
19 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
20 section 125.3; and,
- 21 3. Taking such other and further action as deemed necessary and proper.

22  
23 DATED: November 14, 2016



24 ANGELINA M. BURTON  
25 Executive Director  
26 Osteopathic Medical Board of California  
27 Department of Consumer Affairs  
28 State of California

*Complainant*

27 LA2016503509  
28 62179324.doc

**DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL**  
(Separate Mailings)

**In the Matter of the Accusation Against:  
Troy Ericson Palmer, D.O.  
Case No: 900-2016-000237**

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1300 National Drive, Suite 150, Sacramento, CA 95834.

On March 21, 2017, I served the attached **Stipulated Surrender of License and Decision and Order** by placing a true copy thereof enclosed in a sealed envelope as certified mail with postage thereon fully prepaid and return receipt requested, and another true copy of the **Stipulated Surrender of License and Decision and Order** as enclosed in a second sealed envelope as first class mail with postage thereon fully prepaid, in the internal mail collection system at the Office of the Osteopathic Medical Board of California addressed as follows:

**NAME AND ADDRESS**

(Certified and First Class Mail)

Troy Ericson Palmer, D.O.  
6581 Eagle Drive.  
Chino, CA 91710

Certified Mail No.

91 7199 9991 7036 9509 9822

---

(Certified Mail Only)

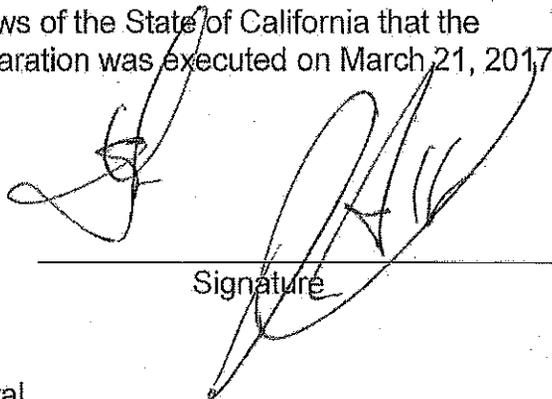
Dyke Huish, Esq.  
Law Office of Dyke E. Huish  
26161 Marguerite Parkway, Suite B  
Mission Viejo, CA 92692

91 7199 9991 7036 9509 9839

---

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on March 21, 2017 at Sacramento, California.

Felisa Scott  
Declarant

  
\_\_\_\_\_  
Signature

cc: Wendy Widlus, Deputy Attorney General