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**FILED**

MAY 19 2015

SAN LUIS OBISPO SUPERIOR COURT  
BY Luis Morales  
L. Morales, Deputy Clerk

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7 SUPERIOR COURT OF CALIFORNIA  
8 COUNTY OF SAN LUIS OBISPO  
9

10 The People of the State of California

11 Petitioner,

12 v.

13  
14 ALFREDO ARCILIO MENDEZ, 10/25/1960

15  
16  
17 Respondent.

NO. 079-578697

PETITION FOR COMMITMENT  
AS A SEXUALLY VIOLENT  
OFFENDER PURSUANT TO  
WELFARE & INSTITUTIONS  
CODE 6600 ET SEQ.; FINDING  
OF PROBABLE CAUSE;  
ORDER FOR COMMITMENT  
PENDING TRIAL

15PT-00304

Date: June 2, 2015  
Time: 8:30 A.M.  
Dept: 3

18 TO: THE HONORABLE DODIE HARMAN, JUDGE OF THE SUPERIOR COURT OF  
19 THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN LUIS OBISPO:

20 Lee Cunningham, Assistant District Attorney, does hereby petition this court as follows:

21 THAT on May 15, 2000 , in the Superior Court of the State of California in and  
22 for the County of San Luis Obispo, Alfredo Arcilio Mendez was convicted of the crime of  
23 violating § 288(B) of the Penal Code, Forcible Lewd Act Upon Child and § 288(A) of  
24 the Penal Code, Lewd Act Upon child, sexually violent offenses within the meaning of  
25 Welfare and Institutions Code § 6600(b), with a "Strike Prior";

26 THAT on June 15, 2000, respondent was committed to the Department of  
27 Corrections for his conviction of the above sexually violent offenses;

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1 THAT said person has a diagnosed mental disorder, and poses a danger to the  
2 health and safety of others, and is predatory within the meaning of W&I § 6600(c)-(e);

3 THAT the Department of Corrections and the Board of Prison Terms screened  
4 said person to determine whether the person committed a sexually violent predatory  
5 offense and reviewed his social, criminal and institutional history within the meaning of  
6 W&I 6601(b). As a result of the screening, the Department of Corrections determined  
7 the person is likely to be a sexually violent predator and referred the person to the  
8 Department of State Hospitals for a full evaluation of whether the person meets the  
9 criteria in W&I § 6600;

10 THAT the Department of State Hospitals evaluated the person in accordance  
11 with a standardized assessment protocol to determine whether the person is a sexually  
12 violent predator within the meaning of W&I 6601(c), and;

13 [ X ] THAT the Director of the Department of State Hospitals designated two  
14 practicing psychiatrists or psychologists or one practicing psychiatrist and one practicing  
15 psychologist, who evaluated the person and determined that the person has a  
16 diagnosed mental disorder such that he is likely to engage in acts of sexual violence  
17 without appropriate treatment and custody within the meaning of W&I § 6601(c) and (d).

18 [ ] THAT two independent professionals have been appointed to evaluate the  
19 person pursuant to W&I § 6601(e) - (g) who concur that the person meets the criteria  
20 for commitment specified in W&I § 6601(d).

21 THAT the evaluation report prepared by the Department of State Hospitals and  
22 reports prepared by the above evaluators appointed pursuant to the above and in  
23 support of this Petition are attached hereto and incorporated by reference herein.

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WHEREFORE, the People of the State of California petition this Court to determine that there is probable cause to believe that Alfred Arcilio Mendez is likely to engage in sexually violent predatory criminal behavior upon his release from custody and to order a trial to be conducted to determine whether the person is, by reason of a diagnosed mental disorder, a danger to the health and safety of others in that the person is likely to engage in acts of sexual violence upon his release from the jurisdiction of the Department of Corrections.

Dated: May 19, 2015

Respectfully submitted

Dan Dow  
District Attorney

By:   
\_\_\_\_\_  
Lee V. Cunningham  
Assistant District Attorney

2015 MAY 19 AM 11:13  
CRIMINAL JUSTICE  
FBI