



Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

January 25, 2018

Non Violent Parole Review Process
Board of Parole Hearings
Correspondence – NV
P.O. Box 4036
Sacramento, CA 95812-4036

Re: Mayberry, Donald

CDC #AP5289

Court Docket: 16FE021559

Inmate Mayberry is a well-established violent felon, and should not be paroled. Inmate Mayberry has been sent to prison a total of seven times for a total of 20 years. The circumstances surrounding his current conviction and his prior criminal record show that he poses an unreasonable risk of violence to the community.

On November 12, 2016, Inmate Mayberry tampered with the door handle of a vehicle and gained entry. While in the vehicle, he broke open the steering column and cut several wires. This was a clear attempt to “hot wire” the car in order to steal it. This assumption is strengthened by the fact that the Inmate has been convicted of car theft six times in his past. On this attempt, Inmate Mayberry was unsuccessful at stealing the car. Rather, he stole an audio cable. Inmate Mayberry was witnessed by two citizens committing this crime. He was identified as the culprit by both individuals. He was also found in possession of the audio cable and 14 shaved keys that could be used for stealing other cars. Inmate Mayberry was sentenced to 44 months in state prison.

In his past, Inmate Mayberry committed a Criminal Threats strike offense for which he was sentenced to seven years, four months. In that case, the Inmate committed a very similar offense. The Inmate attempted to steal a car by breaking into the car and attempting to “hot wire” the vehicle. The owner of the vehicle heard a noise coming from his driveway and went to confront the Inmate. When the Inmate was confronted by the victim he ran off in an attempt to flee. When the Inmate realized that he forgot his wallet, he returned to the scene and confronted the victim. The Inmate pulled a knife on the victim and accused the victim of stealing his wallet. He pointed the knife at the victim and told him that if the victim did not return his wallet he would kill the victim with the knife.

In addition to his commitment offense and his strike offense, Inmate Mayberry has been convicted of eight felonies and three misdemeanors. The Inmate's primary choice of crime is stealing cars. However, the Inmate does have multiple convictions for violence; including his strike offense.

As we are given 30 days to respond, and we are not provided with any disciplinary history or any other information aside from the one page notice of parole review, I cannot comment on inmate Mayberry's prison conduct. However, from the record that is available it is clear that inmate Mayberry should not be released as he poses a significant, unreasonable risk of violence to the community. Parole should be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. Guerrero', with a long horizontal line extending to the right.

Brian Guerrero
Deputy District Attorney
Sacramento County District Attorney's Office