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**FILED**  
Clerk of the Superior Court

DEC 31 2024

By: G. Arce-Barraza, Deputy

**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF SAN DIEGO**

**IN RE DISCLOSURE OF PROBATION  
REPORTS TO THE OFFICE OF THE  
PRIMARY PUBLIC DEFENDER FOR  
LIMITED PURPOSE OF DETERMINING  
ELIGIBILITY FOR SPECIFIED POST-  
CONVICTION RELIEF**

**GENERAL ORDER OF THE  
PRESIDING DEPARTMENT**

**ORDER NO. 010125-29**

THE COURT FINDS AND ORDERS AS FOLLOWS:

The court has received numerous requests from the Office of the Primary Public Defender (“PPD”) for confidential probation reports intended to assist in investigating whether defendants are eligible for post-conviction relief.

Pursuant to Penal Code section 1203.05, probation reports generally become confidential 60 days from the date judgment is pronounced, and after that cannot be released absent a court order, except to the district attorney, the subject of the report (i.e. the defendant), or any person authorized or required by law to inspect or receive copies.

It is hereby ORDERED as follows:

- In those cases where a defendant is currently unrepresented and the PPD is investigating or pursuing post-conviction relief pursuant to Penal Code section 745, 1016.5, 1473.7, or 1172.6 (formerly Penal Code section 1170.95), or the PPD has been appointed for that purpose, the court hereby authorizes the disclosure of probation reports by this court, the San Diego County

1 Probation Department, the San Diego County District Attorney's Office, the California  
2 Attorney General's Office, and the California Department of Corrections and Rehabilitation,  
3 to the PPD for the purpose solely of investigating whether a particular defendant may be  
4 entitled to such relief.

- 5 • Requests to view or copy probation reports pursuant to this order must be directed to the clerk  
6 in the business office where the file is located. Only court personnel may remove and replace  
7 records in any confidential file folder.
- 8 • Copies of probation reports provided to the PPD pursuant to this order are to be reviewed and  
9 maintained by the PPD as confidential records.
- 10 • The probation reports subject to this order are to be reviewed only by PPD employees for the  
11 purposes of investigating the prospect of filing a new motion or petition for post-conviction  
12 relief under one of the code sections noted above. Such review must relate solely to the subject  
13 of the report.
- 14 • Under no circumstances shall a probation report obtained pursuant to this order be shared with  
15 any individual or agency outside the PPD.
- 16 • Copies of all probation reports provided pursuant to this order are subject to a protective order  
17 whereby the disclosure of any and all victim information is strictly prohibited.
- 18 • If, after investigation, a decision is made that no motion or petition for post-conviction relief  
19 pursuant to one of the code sections noted above will be filed or otherwise pursued in a case,  
20 the PPD shall destroy the probation report from that case obtained pursuant to this order within  
21 30 days from the date of the decision.

22 This order shall become effective on January 1, 2025, and expire on December 31, 2025,  
23 unless otherwise ordered by this court.

24 IT IS SO ORDERED.

25 DATED: December 31, 2024

26 

27 **HONORABLE MAUREEN F. HALLAHAN**  
28 **PRESIDING JUDGE**