



CUMMINS & WHITE, LLP

L A W Y E R S

CASE STUDY

Criminal—Sentence Modification and Withdrawal of Plea

Highlights

- Cummins & White's expertise in criminal defense helped it successfully represent a government contractor who had been convicted on two counts of felony grand theft, and sentenced to three years of probation.
- The contractor had been experiencing serious employment challenges with a felony conviction on his record and hired Cummins & White to represent him in submitting a request to the Court for modification of his sentence from felony to misdemeanor, withdrawal of his guilty pleas, and termination of his probation. Cummins & White was successful in arguing all three points.
- With the help of Cummins & White, the contractor was not only permitted by the Court to withdraw his guilty pleas and terminate his probation early; he was also allowed to have his criminal record expunged. He is now able to obtain employment and submit for government business without a felony record.

About the Attorney



Iman Reza joined Cummins & White, LLP, as an associate in 2009. Prior to joining Cummins & White, Mr. Reza's practice focused on business transactions, catastrophic injury cases (personal injury), and business

litigation, including employment litigation, breach of contract and unfair competition claims. He also has served as outside corporate counsel for several corporations. In addition, he handles misdemeanor and felony criminal defense cases.

A GOVERNMENT CONTRACTOR'S FELONY GRAND THEFT CONVICTIONS ARE EXPUNGED AND HIS SENTENCES TERMINATED EARLY

Iman Reza of Cummins & White, LLP, successfully represented his client, a government contractor who had been previously convicted of two counts of felony grand theft and sentenced to three years probation. Because of his felony criminal record, Mr. Reza's client was experiencing difficulty obtaining employment with public municipalities. He sought Mr. Reza's assistance in submitting a request to the Court for modification of his sentence from felony to misdemeanor, withdrawal of his guilty pleas, and termination of his probation. Not only was Mr. Reza successful in arguing all three points, he was able to clear his client's criminal record as if nothing had ever happened. His client was allowed to withdraw his guilty pleas, terminate his probation early and expunge his record. He is now able to compete for government business without a criminal record.

Background

A government contractor was convicted on two counts of felony grand theft and sentenced to three years of probation. After successful completion of 26 months of probation, the client hired Mr. Reza to abet him in the sentence modification of the felony counts to misdemeanors, as well as withdrawal of the guilty pleas and termination of probation.

According to California law (Section 1203.3 PC), the Court shall at any time during the sentence, have authority to revoke, modify or change the term of probation. When the good conduct and reform of the person on probation shall warrant it, the court may terminate the period of probation, and discharge the person so held.

Legal Strategy

An individual with felony convictions often encounters difficulty obtaining and maintaining employment. Mr. Reza's client worked as a government contractor and was experiencing the negative implications of a serious criminal record.

Mr. Reza proved his client as an upstanding citizen, who was unfairly discriminated against in his pursuit to earn a living based on two regrettable prior acts. Mr. Reza brought forth that his client held no prior record, had completed 26 months of probation, had been reporting as directed, paid all required fines and fees, and had no revocations, new arrests, or convictions while on probation.

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Cummins & White, LLP

Cummins & White, LLP, is recognized as one of California's premier business, insurance, and criminal defense law firms. The Newport Beach-based firm is engaged in general civil litigation and transactional practices, which include insurance coverage, business, estate planning, healthcare, criminal defense, real estate, and liability defense. The firm was founded in 1951 and had 17 partners and associates.

Result/Implication

Mr. Reza successfully negotiated with the Court on all three instances. Mr. Reza's defense not only allowed for his client to withdraw his guilty pleas and terminate probation early, he was also permitted to have his criminal record expunged entirely.

Mr. Reza's client was exceptionally pleased with the results, "I want to thank you for all your generosity during these troubling times. I especially would like to thank you for the courage in persuading the powers that be to grant the modifications of my sentence. You've been a true friend and an exceptional lawyer." ■