

LAW OFFICES OF  
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March 14, 2014

Via email at [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov) and U.S. mail

Sonke Mastrup, Executive Director  
Fish & Game Commission  
1416 9<sup>th</sup> Street, Room 1320  
Sacramento, CA 95814

**Re: Pine Ranch Private Lands  
Wildlife Habitat Enhancement and Management Area (PLM) License**

Dear Mr. Mastrup:

My office represents Mark Pine with regard to his Pine Ranch Private Lands Wildlife Management (PLM) License. Recently, on February 28, 2014, you notified Mr. Pine of the revocation of his license, and stating the ground. The primary ground was that in August, 2013 four (4) individuals were cited by a Department Wildlife Officer for spot lighting. Please be advised that each of these four (4) citations was dismissed recently by the Yolo County Superior Court. I am enclosing therewith copies of the minute orders showing the dismissals for each of the four (4) individuals cited for your verification.

The other grounds stated were that in 2009, on the opening weekend, two (2) individuals were cited on the ranch, one for possessing an untagged deer, and one for possessing two (2) out of season valley quail. The letter also mentions that several people were hunting on the ranch using A-zone deer tags, a violation of the PLM agreement. Mr. Pine notes that the reason some individuals had A-zone deer tags was that the Department delayed approving the Pine Ranch PLM license for 2009, by some six (6) weeks, past the opening of the regular deer season. Had the Department timely approved the license, the hunters would have been using PLM license tags in 2009.

In any event, the Pine Ranch licensee was placed on probation for one (1) year in April, 2010, and no new violations occurred during that year. Therefore, the 2009 violations should not have been considered as cause for revocation of the license, because the probationary period was successfully served.

Sonke Mastrup, Executive Director  
Re: Pine Ranch PLM License  
March 14, 2014  
Page 2 of 2

The letter of February 28, 2014 also mentions that the Pine Ranch PLM deer tags had not been returned as of January 6, 2014. That is not in fact correct. Mr. Pine states that the tags were returned to the Department prior to December 31, 2013, per the agreement.

Also, Mr. Pine states that the letter is not quite correct in that when it states that item 3, "each suspect carried a loaded weapon capable of killing big game". Mr. Pine's son, Matthew Pine, carried a pistol and a holster, which is not a realistic deer weapon. Also, the property owners always carry weapons on the Ranch for various reasons, including predators, snakes, and poachers, who are often times armed.

As a final point, Mr. Pine was not allowed due process in this action by the Commission. Your letter states that a certified letter (dated January 17, 2014) was sent to Mr. Pine, notifying him of the February 4, 2014, hearing before the Commission. This is barely two (2) weeks' notice. At the time, Mr. Pine was traveling and did not receive the certified letter. As your letter notes, it was returned to the Department unsigned. Yet, the Commission chose to proceed with the agenda item without proof of service. Had Mr. Pine been aware of the letter, he would have appeared at the hearing or had a representative present.

Therefore, based on the dismissal of the citations in 2013, given as the primary grounds for the revocation, and the other above stated grounds, we are requesting that the Commission reconsider its revocation of the Pine Ranch PLM license. I welcome you to contact me at the number above should you care to discuss this matter informally or schedule the matter for hearing. Thank you for your consideration.

Very truly yours,

  
DOUGLAS D. WIRTH

DDW/mp  
Enc  
Cc: Mark Pine

BRODERICK  
VIN JOSEPH  
DIV:

DP10

3/12/14

CRTR130022213  
11:00AM

001 FG2005(B)

002 AB1759

003 GC29550(C)

004 PC1202.4M

005 PC1202.4MR

006 SB1407M/F

JUDGE M'ARA, J KENT

CT RPTR

BOOKING FEE \$154.48 CLERK

TWA  
*[Signature]*

**APPEARANCES:**

- Deft. appears  In custody  Deft. not appearing
- With by Att / Pub. Def. Kanborough
- Deputy Dist. Atty. \_\_\_\_\_
- Deputy Probation Officer \_\_\_\_\_
- Interpreter sworn \_\_\_\_\_ L: \_\_\_\_\_
- Stip. to Pro-Tem Judge \_\_\_\_\_

**ARRAIGNMENT:**

- Answers true name as charged
- Waives reading of Compl / Info / Dec
- Handed copy of Compl / Info / Dec.
- Handed copy of Discovery
- Defendant Duly Arraigned
- Waives Formal Arraignment

**REFERRALS ORDERED:**

- Referred to: PUBLIC DEFENDER
- Referred To: PROBATION
  - Pre-Plea  Bail Study  O.R. Report
  - R & S  Supplemental
- Pub. Def. Conflict Filed; Appointed
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**ORDERED CONTINUED TO:**

Date	Time	For	Dept.

Copies to DA \_\_\_\_\_ 6  Crt Ack \_\_\_\_\_ Rpt

Cont Party's / Court's Motion 8  LDFM: \_\_\_\_\_

**MOTIONS / AMENDMENTS / ORDERS:**

- Motion to / for \_\_\_\_\_
- Argued & Submitted  Submitted without argument
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- Grounds: \_\_\_\_\_
- Complaint amended on its face to add CT # \_\_\_\_\_ a violation of section \_\_\_\_\_
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- Complaint amended on its face to correct count # \_\_\_\_\_ to a violation of \_\_\_\_\_
- Protective Order signed / filed / served in open court / to remain in effect to \_\_\_\_\_

**WAIVERS / PLEAS:**

- Def't waives Constitutional Rights
- Pleads Guilty, CT # \_\_\_\_\_
- Pleads No Contest, CT # \_\_\_\_\_
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- Prior Conv. / ENH \_\_\_\_\_
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- Defendant waives time for sentencing
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- Cou / Peo State Reason for Plea on Record
- DIV granted, CT# \_\_\_\_\_ susp'd for \_\_\_\_\_ mos.
- Per Court / DA dismiss Complaint / CT # \_\_\_\_\_

**WARRANT ORDERS:**

- Bench / Arrest Warrant to Issue
- Bail Set at \$ \_\_\_\_\_
- No NTA / OR Release  NTS
- Recalled
- Hold Until \_\_\_\_\_
- Held Warrant Issued
- Civil Assessment Ordered \$300.00

**PROBATION ORDERS:**  Formal  Informal  See Probation Order

- Probation Reinstated / Modified: Original terms in full force and effect except as follows;
- Sentenced to \_\_\_\_\_
- Case transfered to \_\_\_\_\_ purs. to 1203.9PC
- Defendant given rights to Revocation Hearing: Admits / Denies allegations.

- Sent to State Prison, Execution of Sent. Susp.
- Probation Revoked: Defendant found in violation of probation.
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**FINE / REFERRAL ORDERS:**

- Total Fine (Inc P/A, Appl. Rest. & Ct Fees) \$ \_\_\_\_\_ PLUS
- A/R FEE \$35.00  Other: \_\_\_\_\_
- DUE \_\_\_\_\_  PMTS \$ \_\_\_\_\_ PER MO BEG \_\_\_\_\_
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- Attend Counseling / NA / AA \_\_\_\_\_ x Week
- Bring proof at next court date.  Counseling to be approved by Probation.

I certify the foregoing copy of judgment rendered on the above date by the above named Judge:

CLERK OF THE COURT BY [Signature] DEPUTY

TO THE SHERIFF: The foregoing certified copy of judgment in the above entitled action is your authority for the execution thereof (PC 1202)

SAMANIEGO  
AYTON LEE  
DIV

DP10

3/12/14

CRTR130022216  
11:00AM

001 FG2005(B)  
004 PC1202.4M

002 AB1759  
005 PC1202.4MR

003 GC29550(C)  
006 SB1407M/F

JUDGE MARA, J KENT

CT RPTR

BOOKING FEE \$154.48 CLERK

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CLERK OF THE COURT BY \_\_\_\_\_ DEPUTY

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LEVITT  
NIEL ALLEN  
DIV

DP10

3/12/14

CRTR130022210  
11:00AM

001 FG2005(B)  
004 PC1202.4M

002 AB1759  
005 PC1202.4MR

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006 SB1407M/F

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*TWA*  
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