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NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

B337529

Plaintiff and Respondent,

(Los Angeles County
Super. Ct. No.
BA502927)

v.

JAMOR JACOB MATHEWS,

Defendant and Appellant.

APPEAL from a judgment of the Superior Court of Los Angeles County, Shelly B. Torrealba, Judge. Affirmed as modified.

Sharon Fleming, under appointment by the Court of Appeal, for Defendant and Appellant.

Rob Bonta, Attorney General, Charles C. Ragland and Susan Sullivan Pithey, Assistant Attorneys General, Noah P. Hill and Heidi Salerno, Deputy Attorneys General, for Plaintiff and Respondent.

Jamor Jacob Mathews appeals from a judgment, arguing that the trial court improperly imposed a domestic violence fee. We agree and strike the fee but otherwise affirm the judgment.

BACKGROUND

On September 1, 2022, appellant pleaded no contest to second degree robbery (Pen. Code, § 211)¹ and injuring a girlfriend (§ 273.5, subd. (a)) and admitted a prior strike conviction (§ 1170.12).

On April 22, 2024, the trial court sentenced appellant to eight years in state prison and denied probation. The court imposed various fines and fees, all of which it stayed, except for a domestic violence fee of \$500 under section 1203.097, subdivision (a)(5).

DISCUSSION

Appellant is correct that the trial court erred in imposing a \$500 domestic violence fee because that fee is only authorized when a defendant is “granted probation.” (§ 1203.097, subd. (a) & (a)(5)(A).)² Respondent agrees.

DISPOSITION

The \$500 domestic violence fee is stricken. The judgment is affirmed in all other respects. The trial court is directed to prepare an amended abstract of judgment and to forward a

¹ Undesignated statutory references are to the Penal Code.

² Section 1203.097 provides in relevant part: “(a) If a person is granted probation for a crime in which the victim is a person defined in Section 6211 of the Family Code, the terms of probation shall include all of the following” [¶] . . . [¶] (5)(A) A minimum payment by the defendant of a fee of [\$500]”

certified copy to the Department of Corrections and Rehabilitation.

NOT TO BE PUBLISHED.

LUI, P. J.

We concur:

RICHARDSON, J.

SIGGINS, J.*

* Retired Presiding Justice of the Court of Appeal, First Appellate District, Division Three, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.