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**FILED**

**OCT 20 2010**

SAN LUIS OBISPO SUPERIOR COURT  
BY Stacie Pudas  
Stacie Pudas, Deputy Clerk

8 SUPERIOR COURT OF CALIFORNIA  
9 COUNTY OF SAN LUIS OBISPO

10 The People of the State of California

11 Petitioner,

13 v.

14 RICHARD MULLIN

17 Respondent.

NO. F452982  
PETITION FOR COMMITMENT  
AS A SEXUALLY VIOLENT  
OFFENDER PURSUANT TO  
WELFARE & INSTITUTIONS  
CODE 6600 ET SEQ.; FINDING  
OF PROBABLE CAUSE;  
ORDER FOR COMMITMENT  
PENDING TRIAL

Date: October 22, 2010  
Time: 8:30 a.m.  
Dept: 5

18 TO: THE HONORABLE MICHAEL DUFFY, JUDGE OF THE SUPERIOR COURT OF  
19 THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN LUIS OBISPO:

20 Matthew Kraut, Deputy District Attorney, does hereby petition this court as follows:

21 THAT on July 6, 1983 , in the Superior Court of the State of California in and for  
22 the County of Riverside, RICHARD MULLIN was convicted of the crime of violating  
23 § PC261(2), PC288(B), AND PC664/288(B) of the Penal Code, Forcible Rape, Lewd  
24 and Lascivious Acts Upon a Child Under 14 with Force, and Attempted Lewd and  
25 Lascivious Acts Upon a Child Under 14 with Force, a sexually violent offense within the  
26 meaning of Welfare and Institutions Code § 6600(b);

27 THAT on August 25, 1983, respondent was committed to the Department of  
28 Corrections for his conviction of the above sexually violent offense ;

1 THAT said person has a diagnosed mental disorder, and poses a danger to the  
2 health and safety of others, and is predatory within the meaning of W&I § 6600(c)-(e);

3 THAT the Department of Corrections and the Board of Prison Terms screened  
4 said person to determine whether the person committed a sexually violent predatory  
5 offense and reviewed his social, criminal and institutional history within the meaning of  
6 W&I 6601(b). As a result of the screening, the Department of Corrections determined  
7 the person is likely to be a sexually violent predator and referred the person to the State  
8 Department of Mental Health for a full evaluation of whether the person meets the  
9 criteria in W&I § 6600;

10 THAT the State Department of Mental Health evaluated the person in  
11 accordance with a standardized assessment protocol to determine whether the person  
12 is a sexually violent predator within the meaning of W&I 6601(c), and;

13 [X ] THAT the Director of the State Department of Mental Health designated two  
14 practicing psychiatrists or psychologists or one practicing psychiatrist and one practicing  
15 psychologist, who evaluated the person and determined that the person has a  
16 diagnosed mental disorder such that he is likely to engage in acts of sexual violence  
17 without appropriate treatment and custody within the meaning of W&I § 6601(c) and (d).

18 [X ] THAT two independent professionals have been appointed to evaluate the  
19 person pursuant to W&I § 6601(e) - (g) who concur that the person meets the criteria  
20 for commitment specified in W&I § 6601(d).

21 THAT the evaluation report prepared by the State Department of Mental Health  
22 and reports prepared by the above evaluators appointed pursuant to the above and in  
23 support of this Petition are attached hereto and incorporated by reference herein.


24 WHEREFORE, the People of the State of California petition this  
25 Court to determine that there is probable cause to believe that RICHARD MULLIN is  
26 likely to engage in sexually violent predatory criminal behavior upon his release from  
27 custody and to order a trial to be conducted to determine whether the person is, by  
28 reason of a diagnosed mental disorder, a danger to the health and safety of others in

1 that the person is likely to engage in acts of sexual violence upon his release from the  
2 jurisdiction of the Department of Corrections.

3 Dated: October 19, 2010

4 Respectfully submitted

5 Gerald T. Shea  
6 District Attorney

7 By:   
8 Deputy District Attorney

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