

**California Victim Compensation Board  
Indemnity for Persons Erroneously Convicted  
Penal Code, Part 3, Title 6, Chapter 5, Sections 4900 et seq.**

**ANNUAL REPORT OF APPROVED CLAIMS FOR FISCAL YEAR 2024-2025**

As mandated by Penal Code section 4904.5, the California Victim Compensation Board (CalVCB) provides this Annual Report of approved claims for erroneously convicted persons under Penal Code section 4900 during Fiscal Year 2024-2025. Relief under section 4900 is available to claimants who, being innocent, were erroneously convicted and imprisoned because the charged crime either did not occur or was not committed by the claimant. (Pen. Code, § 4900, subd. (a).) The claim must be submitted within ten years of the claimant's release from custody, dismissal of charges, judgment of acquittal, or pardon granted, whichever is later. (Pen. Code, § 4901.) A successful claim results in the Board's approval of compensation, if sufficient funds are available, upon appropriation by the Legislature, for the demonstrated injury sustained by the claimant, as calculated in the amount of \$140 per day of the claimant's erroneous imprisonment. (Pen. Code, § 4904.)

For claims under subdivision (a) of Penal Code section 4900, compensation is available only if the claimants prove, by a preponderance of the evidence, that they did not commit the crime that resulted in their incarceration and that they sustained injury as a result of their erroneous conviction. (Pen. Code, § 4900, subd. (a).) Injury is shown if the claimant would have been free but-for the erroneous conviction. The claimant is entitled to a hearing to prove both innocence and injury, at which the Attorney General may appear. (Pen. Code, § 4903, subd. (a).)

Nonetheless, CalVCB's approval of a claim under subdivision (a) of Penal Code section 4900 is mandated, without a hearing and within 90 days, if a court has found the claimant to be factually innocent of the challenged conviction. (Pen. Code, §§ 851.865, 1485.55, subds. (a), (b), & (e), 4902, subd. (a).) A court finding of factual innocence typically requires proof by a preponderance of evidence that the claimant did not commit the crime. (Pen. Code, §§ 851.8, 1485.55, subds. (a), (b), & (e).) Approval is also mandated, without a hearing and within 90 days, if a court granted a motion under subdivision (d) of Penal Code section 1485.55 for approval of a claim based upon a conviction that was vacated by a grant of habeas relief or pursuant to Penal Code section 1473.6 or 1473.7, subd. (a)(2), the charges were dismissed or the person was acquitted of the charges on a retrial, and the district attorney failed to timely object with clear and convincing proof of the claimant's guilt. (Pen. Code, §§ 1485.55, subd. (d).) Such a court order under subdivision (d) of section 1485.55 does not constitute a finding of factual innocence, but nevertheless requires approval of a claim under subdivision (a) of section 4900.

For claims under subdivision (b) of Penal Code section 4900, approval is mandated unless the Attorney General timely objects and presents clear and convincing evidence of the claimant's guilt within 90 days and without relying solely upon the trial record. (Pen. Code, § 4900, subd. (b), 4902, subd. (d), 4903, subd. (d).) This subdivision applies when the underlying conviction was vacated by a grant of habeas relief or pursuant to Penal Code section 1473.6 or 1473.7,

subd. (a)(2),<sup>1</sup> and the charges were dismissed on remand or resulted in acquittal. Absent a timely objection by the Attorney General, CalVCB is mandated to approve the claim, regardless of whether or not the evidence proves the claimant is likely innocent, within 90 days.

Even when approval is mandated without a hearing for a claim under subdivisions (a) and (b) of Penal Code section 4900, CalVCB is statutorily obligated to determine the extent of injury caused by the erroneous conviction and incarceration. (Pen. Code, § 4904.) To that end, CalVCB may “request from both parties additional documents or arguments as needed to calculate compensation.” (Pen. Code, § 4904, as amended by Stats. 2023, c. 702 (S.B. 78), § 5, eff. Jan. 1, 2024.) The burden to prove injury rests with the claimant by a preponderance of the evidence. (Pen. Code, § 4904; see also Evid. Code, § 115.)

As summarized below, CalVCB approved 13 claims that totaled \$10,667,720 between July 1, 2024, and June 30, 2025. Of those, 10 claims were mandated under subdivision (a) of section 4900 based upon a court’s finding of factual innocence. Two claims were also mandated under subdivision (a) of section 4900 when the district attorney failed to timely object with clear and convincing proof of the claimant’s guilt pursuant to subdivision (d) of Penal Code section 1485.55. The remaining claim was mandated under subdivision (b) of section 4900, after the Attorney General declined to object with clear and convincing evidence of the claimant’s guilt.

### **A. Approved Claims**

The approved claims under Penal Code section 4900 are listed below. The list, which is organized in reverse chronological order, includes the claimant’s name, claim number, amount of compensation approved, and date of approval.

1. William Woods (24-ECO-59) \$80,640, approved May 15, 2025
2. Michael Anderson (25-ECO-12), \$1,150,380, approved May 15, 2025
3. Lombardo Palacios (25-ECO-11), \$898,100, approved May 15, 2025
4. Charlotte Pleytez (25-ECO-10), \$898,100, approved May 15, 2025
5. Mireya Arias (24-ECO-01) \$85,960, approved May 15, 2025
6. Zachary Vanderhorst, (23-ECO-33) \$280, approved March 20, 2025
7. Glenn Payne (24-ECO-62) \$765,380, approved March 20, 2025
8. Kelvin Fuller (25-ECO-04) \$1,727,320, approved March 20, 2025
9. Kenji A. Howard (22-ECO-07) \$1,244,600, November 21, 2024
10. Stephen Patterson (24-ECO-49) \$919,380.00, September 19, 2024
11. Jofama Coleman (24-ECO-20) \$907,340, July 18, 2024
12. Abraham Villalbos (24-ECO-32) \$788,060, July 18, 2024
13. Ronald Velasquez (24-ECO-33) \$1,202,180, July 18, 2024

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<sup>1</sup> Different standards apply to vacate a conviction under these enumerated provisions. (Pen. Code, §§ 1473 (authorizing state habeas relief when new evidence would have more likely than not changed the outcome at trial); 1473.6 (authorizing reversal when conviction obtained by government fraud, false testimony, or misconduct); 1473.7, subd. (a)(2) (authorizing reversal when evidence of actual innocence requires vacating the conviction in the interests of justice); cf. 28 U.S.C. § 2254 (limiting federal habeas relief solely when a prejudicial violation of the federal constitution occurred, and the state court’s contrary adjudication was unreasonable under clearly established federal law).)

## **B. Case Summary**

Each approved claim is summarized below. The summary identifies whether approval was based upon subdivision (a) or (b) of Penal Code section 4900 (i.e., PC 4900(a) or PC 4900(b)). A copy of the Board Decision for each claim is available upon request.

### **1. William Woods – Identity Theft and False Impersonation (PC 4900(a))**

In 2019, William Woods (Woods) was arrested and subsequently charged with one count of identity theft and one count of false impersonation. In 2020, Woods was declared mentally incompetent to stand trial and transferred to a state hospital for treatment after he continued to insist that he was the victim, rather than the perpetrator, of the charged offenses. In 2021, Woods returned to court, where he was found mentally competent, and he entered a negotiated plea of no contest to both felony counts. In exchange, the court sentenced Woods to time served and ordered him released. In 2024, Woods was found factually innocent of both charges.

As mandated by Penal Code section 1485.55, CalVCB approved Woods's claim under subdivision (a) of Penal Code section 4900 on May 15, 2025, in the requested amount of \$80,640 for having been imprisoned a total of 576 days for his vacated convictions.

### **2. Michael Anderson – Murder (PC 4900(a))**

In 2003, Michael Anderson (Anderson) was convicted of first-degree murder with the special circumstances of using a firearm during the commission of the offense and committing the crime for the benefit of a criminal street gang. In 2023, Anderson's conviction was vacated by a writ of habeas corpus. In 2024, the prosecution refiled the same charges against Anderson. However, the court found there was "no excusable neglect" for the prosecution's delay in refiled the charges against Anderson. The court thereby dismissed the case against Anderson and held it would not allow another filing. In 2025, the court granted Anderson's motion for relief pursuant subdivision (d) of Penal Code section 1485.55 after the district attorney failed to present clear and convincing proof of guilt.

As mandated by subdivision (d) of Penal Code section 1485.55, CalVCB approved Anderson's claim under subdivision (a) of Penal Code section 4900 on May 15, 2025, in the requested amount of \$1,150,380 for having been imprisoned a total of 8,217 days for his vacated convictions.

### **3. Lombardo Palacios – Murder (PC 4900(a))**

In 2009, Lombardo Palacios (Palacios) was found guilty of first-degree murder with gang and firearm enhancements. In 2024, Palacios was granted habeas relief. In 2025, he was found factually innocent of all charges.

As mandated by Penal Code section 1485.55, CalVCB approved Palacios's claim under subdivision (a) of Penal Code section 4900 on May 15, 2025, in the requested amount of \$898,100 for having been imprisoned a total of 6,415 days for his vacated convictions.

#### **4. Charlotte Pleytez – Murder (PC 4900(a))**

In 2009, Charlotte Pleytez (Pleytez) was found guilty of first-degree murder with gang and firearm enhancements. In 2024, Pleytez was granted habeas relief. In 2025, she was found factually innocent of all charges.

As mandated by Penal Code section 1485.55, CalVCB approved Pleytez's claim under subdivision (a) of Penal Code section 4900 on May 15, 2025, in the requested amount of \$898,100 for having been imprisoned a total of 6,415 days for her vacated convictions.

#### **5. Mireya Arias – Murder (PC 4900(a))**

In 2018, Mireya Arias (Arias) was found guilty of 10 counts of extortion, 11 counts of attempted grand theft, and 10 counts of second-degree burglary, each with a hate-crime enhancement. In 2021, all 31 convictions were reversed, and all charges were dismissed. In 2024, Arias was found factually innocent of all charges.

As mandated by Penal Code section 1485.55, CalVCB approved Arias's claim under subdivision (a) of Penal Code section 4900 on May 15, 2025, in the amount of \$85,960 for having been imprisoned a total of 614 days for her vacated convictions. Compensation was denied for 358 additional days requested by Arias due to insufficient proof of injury because she was not incarcerated at that time.

#### **6. Zachary Vanderhorst – Robbery and Rape (PC 4900(a))**

In 1974, Zachary Vanderhorst (Vanderhorst) pled guilty to murder, rape and two counts of robbery. After the Legislature amended the definition of murder in 2019, Vanderhorst requested the court vacate his conviction for murder on the grounds that the underlying conduct does not constitute murder as it is now defined. In 2020, the court vacated his conviction for murder and ordered him to be released from custody. In 2021, Vanderhorst was found factually innocent of the rape and one count of robbery. Were it not for these two erroneous convictions, Vanderhorst would have been released from custody two days earlier.

As mandated by Penal Code section 1485.55, CalVCB approved Vanderhorst's claim under subdivision (a) of Penal Code section 4900 on March 20, 2025, in the amount of \$280 for having been imprisoned a total of two days solely attributable to his two erroneous convictions for rape and robbery. Compensation was denied for 8,754 additional days requested by Vanderhorst due to insufficient proof of injury because he was concurrently confined for his other convictions.

#### **7. Glenn Payne – Lewd and Lascivious Conduct Upon a Child Under 14 (PC 4900(b))**

In 1990, Glenn Payne (Payne) was convicted of lewd and lascivious conduct upon a child under 14 with enhancements for kidnapping for the purpose of committing sexual assault and inflicting great bodily injury. In 2018, a court granted a motion to vacate all of Payne's convictions.

The Attorney General declined to object to Payne's claim under subdivision (b) of Penal Code section 4900. As mandated by statute, CalVCB approved Payne's claim on March 20, 2025, in

the requested amount of \$765,380 for having been imprisoned a total of 5,467 days for his vacated convictions.

**8. Kelvin Fuller – Rape, Oral Copulation by Force, Robbery, and Kidnap for Robbery (PC 4900(a))**

In 1985, Kelvin Fuller (Fuller) was found guilty of rape, oral copulation by force, robbery, and kidnap for robbery, with enhancements for personal use of a knife and rape and oral copulation in concert. In 2024, Fuller was granted habeas relief and found factually innocent of all charges.

As mandated by Penal Code section 1485.55, CalVCB approved Fuller's claim under subdivision (a) of Penal Code section 4900 on March 20, 2025, in the requested amount of \$1,727,320 for having been imprisoned a total of 12,338 days for his vacated convictions.

**9. Kenji A. Howard – Murder, Attempted Murder, and Shooting at an Occupied Vehicle (PC 4900(a))**

In 1997, Kenji A. Howard (Howard) was convicted of one count of murder, three counts of attempted murder, one count of shooting at an occupied vehicle, and one count of possessing a concealed firearm. In 2021, all charges were vacated by a writ of habeas corpus and dismissed upon remand. In 2022, the claimant's motion for a finding of factual innocence was denied by a juvenile court.

Also in 2022, the claimant filed an application with CalVCB for compensation as an erroneously convicted person. The Attorney General timely objected. The claimant was entitled to an administrative proceeding with CalVCB; however, both parties agreed to stay the proceeding pending the claimant's appeal of the juvenile court's denial of a finding of factual innocence, which was ultimately affirmed by the appellate court in 2024. Also in 2024, the juvenile court nevertheless granted Howard's motion for relief pursuant subdivision (d) of Penal Code section 1485.55 after the district attorney failed to present clear and convincing proof of guilt.

As mandated by subdivision (d) of Penal Code section 1485.55, CalVCB approved Howard's claim under subdivision (a) of Penal Code section 4900 on November 21, 2024, in the amount of \$1,244,600 for his 8,890 days of imprisonment solely as a result of his vacated convictions. Compensation was denied for 730 additional days requested by Howard due to insufficient proof of injury because he was concurrently incarcerated for an unrelated conviction.

**10. Stephen Patterson – Murder (PC 4900(a))**

In 2007, Stephen Patterson (Patterson) was found guilty of one count of first-degree murder, with enhancements for personal use of a firearm, discharge of a firearm, and discharge of a firearm causing great bodily injury. In 2024, Patterson was granted habeas relief and found factually innocent of all charges.

As mandated by Penal Code section 1485.55, CalVCB approved Patterson's claim under subdivision (a) of Penal Code section 4900 on September 19, 2024, in the requested amount of \$919,380 for having been imprisoned a total of 6,567 days for his vacated convictions.

### **11. Jofama Coleman – Murder (PC 4900(a))**

In 2006, Jofama Coleman (Coleman) was found guilty of one count of first-degree murder. In 2024, Coleman was granted habeas relief and found factually innocent of the charge.

As mandated by Penal Code section 1485.55, CalVCB approved Coleman's claim under subdivision (a) of Penal Code section 4900 on July 18, 2024, in the requested amount of \$907,340 for his 6,481 days of imprisonment solely as a result of his vacated conviction. As both parties agreed, compensation was not warranted for any additional days during which Coleman was concurrently incarcerated for an unrelated conviction.

### **12. Abraham Villalobos – Murder (PC 4900(a))**

In 2001, Abraham Villalobos (Villalobos) was found guilty of one count of second-degree murder. In 2024, Villalobos was granted habeas relief and found factually innocent of the charge.

As mandated by Penal Code section 1485.55, CalVCB approved Villalobos's claim under subdivision (a) of Penal Code section 4900 on July 18, 2024, in the amount of \$788,060 for having been imprisoned a total of 5,629 days for his vacated conviction. Compensation was denied for 2,932 additional days requested by Villalobos while on parole due to insufficient proof of injury because he was not physically incarcerated during that time.

### **13. Ronald Velasquez – Murder (PC 4900(a))**

In 2001, Ronald Velasquez (Velasquez) was found guilty of one count of first-degree murder. In 2024, Velasquez was granted habeas relief and found factually innocent of the charge.

As mandated by Penal Code section 1485.55, CalVCB approved Velasquez's claim under subdivision (a) of Penal Code section 4900 on July 18, 2024, in the requested amount of \$1,202,180 for having been imprisoned a total of 8,587 days for his vacated conviction.