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**PRESS RELEASE**

**For Immediate Release**

Date: January 26, 2009  
Re: Pablo Astorga-Possession of Heroin  
In Honor Farm Results in 6 Years in  
State Prison

**For More Information Contact:**

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that the Honorable John Whiteside sentenced Pablo Astorga, age 47, of Modesto, to 6 years in state prison for possessing heroin while incarcerated at the Stanislaus County Honor Farm and having a prior felony conviction that falls under California's "Three Strikes" law after being convicted at jury trial on October 27, 2008. Deputy District Attorney Robert J. Taro prosecuted the case for the People.

The case stems from facts that came to light on June 19th, 2008 when Stanislaus County Sheriff's deputies found Astorga standing at a sink with a balloon of heroin near his feet. Astorga was already incarcerated and serving a sentence for possession of heroin.

Prior to sentencing, Astorga's lawyer argued that the judge should dismiss Astorga's strike prior and not double his sentence. Taro argued that such a ruling is inappropriate based on Astorga's numerous other convictions, the fact that Astorga has been committing felonies since 1984 and that, due to his excessive criminality, Astorga should not be granted that type of relief.

The Honorable John Whiteside, who presided over the jury trial, imposed the term of 3 years for possessing the heroin while incarcerated and then doubled the sentence since Astorga had a prior "strike" under California's "Three Strikes and You're Out" law. Because of the prior strike, Astorga must serve 80% of his sentence before he can be paroled.

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