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# San Diego City Attorney Jan I. Goldsmith

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## NEWS RELEASE

**FOR IMMEDIATE RELEASE: August 2, 2013**

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### **Drive Drunk and Go to Jail! *Two DUI Defendants Sentenced to Custody***

**San Diego, CA:** San Diego City Attorney Jan Goldsmith announced that on August 1, 2013, Judge William C. Gentry, Jr. sentenced Defendant Celeste Nichole Mitchell to 9 months (270 days) of custody for driving under the influence of alcohol and hit and run. (*People v. Celeste Nichole Mitchell*, case number M171318.)

On June 15, 2013, Mitchell was driving while using her cell phone at 54th Street and Imperial Ave when she hit a pedestrian crossing the street. Mitchell backed up and hit the pedestrian again. She then drove off without exchanging insurance information or checking on the health of the pedestrian. The pedestrian was transferred to the hospital with minor injuries. Mitchell was found at her home, thanks to the assistance of a witness who wrote down her license plate number. A blood test showed a BAC of .36%, more than four times the legal limit. Defendant was not given any plea agreement and pled guilty to all charges. She was sentenced to 270 days of custody. She was required to install an Ignition Interlock Device on her vehicle for the maximum term of three years. She was sentenced to a 5 year term of probation, during which the Court ordered her to abstain from consuming alcohol. And Mitchell was ordered to pay restitution to her victim. Judge Gentry ordered Mitchell straight into custody in the County Jail, immediately after sentencing.

Also, on July 31, 2013, Judge Gentry sentenced Defendant Ain Gilbert to 30 days of custody in the County Jail for two incidents of driving under the influence of alcohol within a single month. (*People v. Ain Gilbert*, case number M170719.)

On May 19, 2013, Gilbert was driving down 30th street when he rear ended a vehicle and hit a parked car. A breath test after the incident showed a BAC of .29 percent; more than triple the legal limit. Less than a month later, Gilbert drove while his license was suspended from the first DUI and crashed into a chain link fence on Euclid Avenue. A blood test showed a BAC of .28%, again over three times the legal limit. Gilbert plead guilty to both DUIs and Judge Gentry sentenced him to 30 days of custody, 30 days of Public Work Service, 6 months of SCRAM alcohol monitoring, a Mothers Against Drunk Driving victim impact panel, a Substance Abuse Multiple Conviction program, and 5 years probation.

**“Driving under the influence is a serious crime that is 100 percent preventable.” said City Attorney Jan Goldsmith, “Just don’t drink and drive. Our office prosecuted 5,550 DUI cases last year with a 99.3% conviction rate. We will ask the Court for jail time whenever it is necessary as part of our continuing commitment to public safety.”**

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