

CALIFORNIA COURT OF APPEAL, FOURTH APPELLATE DISTRICT,
DIVISION THREE

People v. Benitez-Torres

Benitez-Torres · No. G063400 · Decided July 23, 2025

SUMMARY

The California Court of Appeal considered a Penal Code section 1473.7 motion to vacate guilty pleas based on the defendant’s lack of meaningful understanding of the pleas’ immigration consequences and resulting prejudice. The court independently reviewed the record and concluded that Juan Carlos Benitez-Torres demonstrated a reasonable chance that he would have rejected the plea had he understood that it would result in severe immigration consequences. The court reversed the denial of the motion and remanded with directions to vacate the convictions and set the matter for trial.

CASE DETAILS

COURT	California Court of Appeal, Fourth Appellate District, Division Three
WRITING FOR THE COURT	Moore, Acting Presiding Justice; Sanchez, Justice; Delaney, Justice
JURISDICTION	California Court of Appeal, Fourth Appellate District, Division Three
DECIDED	July 23, 2025
DOCKET	G063400
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Benitez-Torres appealed from an order of the Orange County Superior Court denying his Penal Code section 1473.7 motion to vacate his 2015 guilty pleas and convictions based on prejudicial error affecting his understanding of the pleas' immigration consequences.
STANDARD OF REVIEW	Independent review. The appellate court independently determines whether the facts satisfy the governing legal rule, while deferring to factual findings based on the trial court's personal observations of witnesses; that deference does not apply to facts derived from written declarations and other documents.
PRECEDENTIAL VALUE	published
PARTIES	Juan Carlos Benitez-Torres v. The People

TOPICS

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QUESTIONS PRESENTED

1. Whether Benitez-Torres established prejudicial error under Penal Code section 1473.7 because he did not meaningfully understand the actual or potential immigration consequences of his guilty pleas.
2. Whether there was a reasonable probability that Benitez-Torres would have rejected the trial court's plea offer and pursued trial or a suppression motion had he understood that the convictions would result in mandatory deportation.
3. Whether an immigration advisement in a felony plea form categorically bars relief under section 1473.7.

HOLDINGS

1. Benitez-Torres established that he did not meaningfully understand the immigration consequences of his guilty pleas and that the error damaged his ability to knowingly accept the pleas.
2. There was a reasonable probability that Benitez-Torres would have rejected the three-year plea disposition and taken his chances at trial, or at least pursued a motion to suppress, if he had understood the mandatory immigration consequences.
3. A written immigration advisement in a felony plea form does not categorically bar relief under section 1473.7 and does not substitute for counsel's case-specific advice regarding the immigration consequences of the plea.

KEY QUOTATIONS

“Ultimately it is for the appellate court to decide, based on its independent judgment, whether the facts establish prejudice under section 1473.7.” (at 8–9)

“In any event, a finding of ineffective assistance of counsel under the Sixth Amendment is not required for Benitez to prevail in a section 1473.7 motion.” (at 18–19)

“An immigration advisement in a felony plea form “did not absolve defense counsel of the duty to advise of immigration consequences. Even where the form says that the defendant ‘will’ be deported, it does not substitute for the advice of counsel, and it is not a categorical bar to relief.”” (at 19–20)

“Given all the surrounding circumstances, we find Benitez has established that he did not meaningfully understand the immigration consequences of his plea, and there is a reasonable probability he would have rejected the trial court’s offer and taken his chances at trial—or at least at a motion to suppress the evidence—had he meaningfully understood those mandatory consequences.” (at 22–23)

FACTUAL BACKGROUND

In January 2015, police stopped a car Juan Carlos Benitez-Torres was driving and searched it after a narcotics dog alerted, finding more than four kilograms of methamphetamine in hidden compartments. Benitez-Torres was a lawful permanent resident who had lived in the United States since age 12, was married to a United States citizen, and had five children. His retained attorney conducted little apparent investigation, did not file a suppression motion, and advised him to accept a three-year sentence without meaningfully explaining that the pleas would result in mandatory deportation. Benitez-Torres pleaded guilty, served his sentence, and was deported.

PROCEDURAL HISTORY

Benitez-Torres pleaded guilty in 2015 to possessing methamphetamine for sale and transporting methamphetamine, with a four-kilogram enhancement, and received an indicated three-year sentence. After his release from custody and deportation, he filed a section 1473.7 motion in 2023. Following an evidentiary hearing at which defense counsel Kenneth Reed and Benitez-Torres testified, the superior court denied the motion. The Court of Appeal independently reviewed the record, reversed, and remanded with directions to allow withdrawal of the guilty pleas.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter is remanded with directions to allow Benitez-Torres to withdraw his 2015 guilty pleas. The opinion also states that the trial court is to vacate the convictions and set the matter for trial.

CASES CITED

- People v. Vivar, 11 Cal.5th 510, 524–529 (2021)
- Padilla v. Kentucky, 559 U.S. 356, 360, 366, 368–369 (2010)
- People v. Lopez, 83 Cal.App.5th 698, 713–715 (2022)
- Strickland v. Washington, 466 U.S. 668, 688, 694 (1984)
- People v. Camacho, 32 Cal.App.5th 998, 1008–1009 (2019)
- Moncrieffe v. Holder, 569 U.S. 184, 187–188 (2013)
- Habibi v. Holder, 673 F.3d 1082, 1088 (9th Cir. 2011)
- People v. Bautista, 115 Cal.App.4th 229, 238 n.6 (2004)
- People v. Manzanilla, 80 Cal.App.5th 891, 906 (2022)
- People v. Espinoza, 14 Cal.5th 311, 320 (2023)
- In re Lewallen, 23 Cal.3d 274, 278–281 (1979)
- People v. Avignone, 16 Cal.App.5th 1233, 1240 (2017)