

Los Angeles Burglary Defense Lawyer Tracy M. Grayson

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Tracy Grayson is the recognized go-to lawyer for burglary cases. He has an outstanding trial and settlement track record with respect to burglary cases. Most of his first-time-offender clients have been granted probation without having to serve any time in prison. The worst outcome has usually been that the client had to perform community service and/or pay a fine.

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The Law

Burglary is divided into two degrees: first degree or residential burglary and second degree burglary, which includes commercial burglary and auto burglary.

To be found guilty of this crime, the prosecutor must prove that: you entered a building, room, or locked vehicle; and at the time you entered you intended to commit a theft or any felony. You do not have to actually steal anything or leave with an item, property or money to be found guilty of this crime.

First degree or residential burglary involves burglarizing an inhabited house, room, warehouse, boat, ship, vessel, aircraft, coach or trailer, whether or not someone is present at the time of the burglary (it should be noted that the garage to a house or dwelling could also be considered inhabited). All other burglaries are of the second degree.

If convicted of first degree or residential burglary, you could serve up to six years in state prison. If charged and convicted of second degree burglary as a felony, you could do up to three years in state prison; if a misdemeanor is charged, your maximum exposure is one year in the county jail. Note that commercial burglary is often committed, for example, when someone enters a department store with an intent to steal and uses a tool or device to remove the sensor(s) affixed to clothing which activates an alarm as you exit the store.

First degree or residential burglary is a much harsher crime than second degree or commercial burglary because it constitutes a strike under California's Three Strikes Law and also counts as a five-year prior. This could have serious consequences if you commit another felony in the future. If someone is present in the house or other dwelling at the time you committed first degree burglary, you may not be able to earn half-time credits in prison.

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Possible Consequences

- County jail or state prison
- Probation or parole
- Having a criminal record (which may or may not be expunged, reduced or dismissed)
- Fines and fees involving hundreds or even thousands of dollars
- Community service or work (your time and money)
- Restitution or reimbursement to the victim for loss of or damage to property
- Having to provide DNA sample which goes into a nationwide database
- Constitutes a violent and serious strike, which could result in a longer prison sentence now and if you commit a future felony
- Five-year prior allegation can later add five years to prison sentence if you commit a future felony
- Possible deportation or other immigration consequences
- No longer able to own, use or possess a gun or weapon
- Could affect current job, future employment or professional license
- Could affect right to vote, jury service, and holding public office

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Defenses

In sports it is often said that the best defense is a good offense. This is also true with burglary cases, where it is extremely important to immediately hire an experienced, skilled attorney like Tracy Grayson, preferably the day you are arrested.

Lack of evidence, lack of intent, and witness credibility are all common defenses and issues which have come up during Attorney Grayson's 15 years of successfully fighting these kinds of cases. Police officers are usually not present when these incidents occur, but they can still be important witnesses. They can be important if, for example, they find the victim's property on you, in your car, or in your home; if they recover surveillance video depicting you (or not); you say something incriminating (never talk to the police!). If you or your car or home are in fact searched, it is possible that it was conducted illegally in violation of your Fourth Amendment

rights, and if so, the evidence could be suppressed and your case dismissed.

Either way, as an experienced, skilled, and aggressive attorney, Tracy Grayson will thoroughly review, investigate and prepare your case, interview prosecution and defense witnesses, obtain additional discovery, research complexities in the law, prepare motions, appoint or hire experts, aggressively fight for your freedom in court, and make certain that we do everything possible to win your case.

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If you want to beat your burglary, [contact attorney Tracy Grayson now!](#)