

# ON THE DOCKET

For the week ending Friday, February 9th, 2007

A publication of the Stanislaus County District Attorney's Office

**#1098326** Defendant Edward Trifoglio set for jury trial May 1<sup>st</sup> in Dept 2 before Judge Silveria on murder charges. Jury trial was vacated when defendant pleaded guilty to voluntary manslaughter with a firearm enhancement for an agreed upon prison term of twenty-one years at 85% minimum time in custody. Formal sentencing is set for March 7<sup>th</sup>. Co-defendant Denise Cannistraci previously pleaded guilty to being an accessory in the murder case and will be sentenced on February 23. She also pleaded guilty to weapons and drug charges in other cases for a total of one year in jail and enrollment in residential drug treatment program approved by probation. Case was settled for less than murder charges based upon there being no independent witnesses to the crime and other proof problems.

**#1097480** Defendant Adam Valdobinos held to answer on murder charges after a preliminary hearing in Dept 9 before Judge Steffen. Valdobinos is accused of killing Jesse Watson in October 2003. Arraignment is set for February 22<sup>nd</sup>.

**#1082214** Defendant Joshua Cothran convicted in Dept 3 before Judge Whiteside of the death of his wife Sarah. Originally charged with murder, evidence was not strong enough to sustain that charge. He pleaded guilty to voluntary manslaughter and was sentenced to fourteen years in state prison.

**#189321** Inmate Catarino Martinez currently in prison at the state prison in Vacaville had a parole hearing set for February 5<sup>th</sup> which was continued in order to obtain an updated inmate psychiatric report. Martinez was convicted of attempting to kill the mother of his three children by stabbing her with a knife. Prosecutor Elaine Casillas traveled to Vacaville for the hearing and told the Parole Board that our office received insufficient notice of the hearing date. This continuance will allow time to contact the victim's family prior to the hearing. The Board of Prison terms is aware of the current problem with insufficient notice to District Attorney's Offices.

**#1213560** Defendant John Velasquez convicted after a jury trial in Dept 8 before Judge Cordova for felony possession of methamphetamine. Defendant then convicted after a court trial of having been previously sentenced to prior prison terms. Sentencing set for March 12<sup>th</sup>, 2007

**#1218693** Defendant Thomas Miller set for jury trial in Dept 8 before Judge Cordova on felony weapons charges. Trial was vacated over the People's objection when defendant pleaded guilty because the Judge offered him 365 days in local jail and felony probation despite defendant being charged with having two or more previous felony convictions making him presumptively ineligible for felony probation. The prosecution was seeking a prison sentence based upon the defendant being a repeat offender who was on three prior grants of felony probation and yet still committing new felony crimes.

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**#1216386** Defendant Jonni Largent set for jury trial in Dept 2 before Judge Silveira on misdemeanor hit and run charges and resisting arrest. Trial vacated when defendant pleaded guilty to disturbing the peace for two days in jail due to proof problems in the case. Witnesses were unavailable for trial and there was insufficient evidence to prove beyond a reasonable doubt that defendant was the driver in the accident.

**#1212872** Defendant Lilly Rose Gonzalez set for jury trial on February 13<sup>th</sup> in Dept 11 before Judge Salter on misdemeanor theft charges. Trial vacated because defendant picked up a new criminal case. Reset for February 16<sup>th</sup>, 2007 to discuss resolving both cases together.

**#1094900** Defendant Jacob Spiller set for jury trial in Dept 8 before Judge Cordova on robbery, theft of a firearm, and felon in possession of a firearm charges. Trial was vacated when defendant pleaded guilty to robbery for a total of seven years in state prison.

**#1212759** Defendant Fetu Lesu set for jury trial in Dept 8 before Judge Cordova on felony charges of assault with a deadly weapon, domestic violence, and child abuse. Jury trial vacated when defendant pleaded guilty to domestic violence and a prior conviction for a sentence of four years in state prison. Defendant had been subject to a possible life sentence under the Three Strikes law but an agreement was reached after the adult victim refused to testify at jury trial.

**#192420** Defendant Jose Manuel Duarte-Rodriguez set for jury trial on February 6<sup>th</sup>, 2007 in Dept 7 before Judge Shaver on murder charges. Jury trial was vacated because the courtroom was unavailable. Case reset for jury trial on February 27<sup>th</sup>. Judge Shaver is currently hearing a different murder trial in that department (People vs. Trice, Dean & Nichols) which is expected to last at least another two weeks.

**#1105636** Defendant Uma Subramanian set for jury trial in Dept 2 before Judge Silveira on drunk-driving charges. Jury trial vacated when defendant pleaded guilty to a misdemeanor reckless driving with alcohol involved. This makes the conviction a "prior" if defendant is convicted of drunk driving in the future and can be used to increase any sentence imposed. Low blood alcohol level plus extenuating circumstances led to the disposition.

**#1102340** Defendant Marisol Alvarez set for jury trial in Dept 9 before Judge Steffen on misdemeanor charges. Jury trial vacated & case continued to April 16<sup>th</sup> because witnesses were unavailable to testify this week.

**#'s 1095293 and 1095292** Defendant Rosalinda Rosario. Two cases set for jury trial on Feb. 6<sup>th</sup> on charges of assault with a deadly weapon and grand theft. Trial vacated when

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defendant changed attorneys and a continuance was granted for the new attorney to review the files.

**#1213387** Defendant Brian Hilario set for jury trial in Dept 7 before Judge Shaver on misdemeanor weapons charges. Case was continued in order to hold a motion to suppress evidence now set for March 19<sup>th</sup>, 2007.

**#1214675** Defendant Jovanna Trogden Love set for jury trial in Dept 7 before Judge Shaver on misdemeanor child abuse charges. Trial vacated due to witnesses being unavailable. Agreement reached to have defendant enter diversion program and case will be dismissed upon successful completion within one year and no new law violations.

**END OF REPORT FOR WEEK ENDING February 9th, 2007**