



ON THE DOCKET

For the week ending Friday, November 16th, 2007

A publication of the Stanislaus County District Attorney's Office

DISPOSITION OF CASES SET FOR TRIAL/PRETRIAL THIS WEEK

DEPARTMENT 2

JUDGE SILVEIRA

None.

DEPARTMENT 3

JUDGE WHITESIDE

None.

DEPARTMENT 4

JUDGE JOHNSON

#1220341 Defendant Norma Louise Graves. Set for jury trial November 13th in Department 4 before Judge Johnson on felony charges of Attempted Murder and First Degree Burglary. The trial date was vacated after defendant pled guilty to Felony Assault Likely to Produce Great Bodily Injury and was placed on 36 months formal felony probation and ordered to serve 90 days in the county jail. Disposition was made based on problems of proof in the case.

#1228716 Defendant Jeffrey Bye. Set for jury trial December 4th in Department 4 before Judge Johnson on felony charges of five counts of Robbery, and having three felony priors which fall under California's "Three Strikes" law. The trial date was vacated after the defendant pled guilty to three counts of Robbery, one "Strike" prior conviction and several other felony prior convictions. He was sentenced to 46 years and 4 months in state prison and must serve at least 85% of that time in actual prison custody before being considered for parole. Deputy District Attorney John Mayne prosecuted the case for the People.

#1100070 Defendant Erick Wayne Brush. Defendant was sentenced on November 16th by Judge Hurl W. Johnson in Department 4 after having been convicted by a jury in October of felony Criminal Threats, Drug Possession and Killing/Skinning his wife's dog. The People requested he be sentenced to state prison, while the defense requested local time in jail. After considering the arguments of all the parties and the defendant's statement to the Court, Judge Johnson placed Brush on 36 months formal felony probation, ordered him to attend 52 weeks domestic violence counseling classes and serve 300 days in the county jail. Deputy District Attorney John Baker prosecuted the case on behalf of the People.

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DEPARTMENT 5

JUDGE ZEFF

#1224702 Defendant Julius Earl Walker. Set for jury trial November 13th in Department 5 before Judge Zeff on misdemeanor charges of Domestic Battery. Trial date vacated after the Court granted the People's request to dismiss the case because the victim could not be located to testify at trial.

#1224518 and #1227163 Defendant Edgar Rodriguez. Set for jury trial November 26th in Department 5 before Judge Zeff on misdemeanor charges of Driving Under the Influence (DUI), Refusal to Take a Blood Test, Having a Prior DUI Conviction, and Failure to Stop at a Red Light (#1224518) and DUI with a prior conviction for DUI, Driving on a Suspended/Revoked License, and Failure to Provide Proof of Insurance (#1227163). Trial date vacated due to unavailability of a key witness. A hearing to reset the jury trial is scheduled for November 15th in Department 5.

#1219175 Defendant Michael Anthony Frohman. Set for jury trial November 14th in Department 5 before Judge Zeff on misdemeanor charges of Driving Under the Influence (DUI). Trial date vacated due to no courtrooms being available. A hearing to reset the jury trial is scheduled for November 26th in Department 5.

#1226482 Defendant Teddy Grigorian. Set for jury trial November 14th in Department 5 before Judge Zeff on misdemeanor charges of Resisting Arrest and Giving False Information to a Peace Officer. Trial date vacated after defendant pled no contest to the lesser crime of Disturbing the Peace and was ordered to pay specified fines.

#1219190 Defendant Gregorio Vincenti Rivera Martinez. Set for jury trial November 14th in Department 5 before Judge Zeff on misdemeanor charges of Domestic Battery. Trial date vacated after Court granted People's motion to dismiss the case due to unavailability of the complaining victim to testify at trial.

#1220599 Defendant Todd Christopher Maldonado. Set for jury trial November 19th in Department 5 before Judge Zeff on misdemeanor charges of Driving Under the Influence (DUI). The parties agreed to continue the trial date because test results from the Department of Justice were not available. A hearing is scheduled on November 19th in Department 5 to reset the jury trial.

#1211375 Defendant Jorge Mata. Set for jury trial November 26th in Department 5 before Judge Zeff on felony charges of Evading a Peace Officer and misdemeanor charges of Driving Under the Influence (DUI) with an enhancement for exceeding the speed limit while DUI. Trial date vacated after defendant pled guilty to misdemeanor

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DUI and admitted the enhancement for speeding. The felony charge of evading was dismissed for insufficient evidence of intent to evade the officer. He was placed on misdemeanor probation for 36 months and ordered to attend alcohol classes and serve 62 days in local jail.

#1233934 Defendant Hollie Lynn Medina. Set for jury trial November 14th in Department 5 before Judge Zeff on misdemeanor charges of Domestic Violence. After a two-and-a-half day jury trial, the jury found the defendant guilty as charged. A sentencing hearing is currently scheduled for November 20th in Department 5. Deputy District Attorney Graham Lopez successfully prosecuted this case on behalf of the People.

DEPARTMENT 6

JUDGE ASHLEY

#1225170 Defendants Brian Adam Christopher and Michael Joseph Vargas. Set for jury trial December 3rd in Department 6 before Judge Ashley on felony charges of Robbery. Trial date vacated to give the parties time to review discovery. Due to scheduling conflicts, the case was reset for jury trial next year, May 8th, 2008, in Department 6.

DEPARTMENT 7

JUDGE SHAVER

#1223220 Defendant Charles Frederick Bush. After two days of jury selection in Department 7 before Judge Shaver on felony charges of Second Degree Burglary, the trial was vacated after the Court granted a request to continue in order to further review possible conflicts in the evidence prior to trial. A hearing to reset the jury trial is scheduled for December 5th in Department 7.

#1222161 Defendant Jesus Vasquez Salazar. Set for jury trial November 13th in Department 7 before Judge Shaver on misdemeanor charges of Domestic Violence. Trial date vacated due to witness unavailability and scheduling conflicts. A hearing to reset the jury trial is scheduled for November 26th in Department 7.

#1217902 Defendant James Ralph Cannon. Set for jury trial November 13th in Department 7 before Judge Shaver on misdemeanor charges of Domestic Battery and Injuring a Telephone and/or Cable Line. After a two-day jury trial the jury found the defendant not guilty. Deputy District Attorney Anthony Colacito prosecuted the case on behalf of the People.

DEPARTMENT 8

JUDGE CORDOVA

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#1228667 Defendant Jeffrey Austin Cronan. Set for jury trial November 13th in Department 8 before Judge Cordova on misdemeanor charges of Driving Under the Influence (DUI). Trial date vacated after the Court granted a motion to continue for further investigation based upon recently discovered evidence. A hearing to reset the jury trial is scheduled for December 14th in Department 8.

#121067 Defendant Michael Miller. Set for jury trial November 27th in Department 8 before Judge Cordova on felony charges of Possession of a Controlled Substance with an allegation of having been previously committed to state prison, and misdemeanor charges of being an Unlicensed Driver plus three other Vehicle Code infractions. Trial date vacated after the defendant pled guilty in order to accept the Court's offer which was based upon the small amount of drugs involved in the case and the defendant's current participation in drug treatment. He was placed on felony probation and ordered to serve 365 days in the local county jail. The People had recommended to the Court that defendant be sentenced to 16 months in state prison. Deputy District Attorney Rob Taro prosecuted the case on behalf of the People.

DEPARTMENT 9

JUDGE STEFFEN

#1216884 Defendant Martin Luis Novo. Set for jury trial November 13th in Department 9 before Judge Steffen on felony charges of Domestic Violence and Criminal Threats. Trial date vacated after defendant pled guilty and was placed on 3 years felony probation with domestic violence terms and ordered to serve 180 days in the county jail. Domestic Violence Unit prosecutor Elizabeth Owen handled this case on behalf of the People.

#1209247 Defendants Angela Dale Piazza and Michael Joseph Piazza. Set for jury trial November 26th in Department 9 before Judge Steffen on felony charges of Manufacturing a Controlled Substance, Possession of Substances for the Purposes of Manufacturing a Controlled Substance, and Possession of a Controlled Substance for Sale. Both defendants are also charged with having prior drug convictions and previously serving a term in state prison. The trial date was vacated due to the Court being unavailable (currently handling another felony trial) and with the agreement of the parties involved. A hearing to reset the jury trial is scheduled for next year, January 10th, 2008 in Department 9.

#1229613 Defendant Brian Frank Gonzales. Set for jury trial November 26th in Department 9 before Judge Steffen, on misdemeanor charges of Trespassing. Trial date vacated after the Court granted the People's request to dismiss the case due to insufficient evidence.

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#1108890 Defendants Ramon Guardado and Monica Irene Arias. Set for jury trial November 13th in Department 9 before Judge Steffen on felony charges of Murder. Trial date for Defendant Guardado was vacated after the Court granted a People's request to hold separate trials for each defendant. The jury trial for defendant Arias is currently in progress in Department 9. The jury trial for Defendant Guardado is now scheduled for trial next year, March 3rd, 2008 in Department 9.

DEPARTMENT 11

JUDGE SALTER

#1107392 Defendant Wayne Christopher Mitchell. Set for jury trial November 13th in Department 11 before Judge Salter on felony charges of Attempted Murder and Assault Likely to Produce Great Bodily Injury. Trial date vacated after defendant pled guilty to the felony assault charge. He was placed on 36 months formal probation and ordered to serve 180 days in the county jail concurrent to his felony Grand Theft case #1108244. Deputy District Attorney Rob Taro prosecuted this case on behalf of the People.

#1215177 Defendant Albert Levesque. Set for jury trial November 13th in Department 9 before Judge Steffen on misdemeanor charges of Hit and Run. Trial date vacated due to Courtroom unavailability. A hearing to reset the jury trial is scheduled for December 7th in Department 11.

TRIALS IN PROGRESS

DEPARTMENT 6

JUDGE ASHLEY

#1092413 Defendants Pedro Luis Castillo and Rigoberto Moreno. A jury trial is in progress that started November 5th in Department 6 before Judge Ashley on felony charges of Murder.

DEPARTMENT 9

JUDGE STEFFEN

#1108890 Defendant Monica Irene Arias. A jury trial is in progress that started November 13th in Department 9 before Judge Steffen on felony charges of Murder.

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CASES TENTATIVELY SET FOR TRIAL NEXT WEEK

DEPARTMENT 2

JUDGE SILVEIRA

#1220225 Defendant Salvador Diaz. Set for jury trial November 20th in Department 2 before Judge Silveira on misdemeanor charges of Carrying a Concealed Firearm.

DEPARTMENT 3

JUDGE WHITESIDE

#1224885 Defendant Craig Alan Yarbrough. Set for jury trial November 20th in Department 3 before Judge Whiteside on misdemeanor charges of Possession of Burglary Tools.

#1227841 Defendant Diana Lynn Durbin. Set for jury trial November 20th in Department 3 before Judge Whiteside on misdemeanor charges of Trespassing.

DEPARTMENT 4

JUDGE JOHNSON

None.

DEPARTMENT 5

JUDGE ZEFF

#1235379 Defendant John Allen Garrett. Set for jury trial November 19th in Department 5 before Judge Zeff on misdemeanor charges of False Imprisonment.

#1232529 Defendant Reynalda Godinez. Set for jury trial November 19th in Department 5 before Judge Zeff on misdemeanor charges of Animal Cruelty.

DEPARTMENT 6

JUDGE ASHLEY

None.

DEPARTMENT 7

JUDGE SHAVER

None.

DEPARTMENT 8

JUDGE CORDOVA

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#1211617 Defendant Rebecca Esperanza Martinez. Set for court trial November 19th in Department 8 before Judge Cordova on misdemeanor charges of Furnishing Alcohol to a Minor.

DEPARTMENT 9

JUDGE STEFFEN

None.

DEPARTMENT 11

JUDGE SALTER

None.

REPORT FOR WEEK ENDING NOVEMBER 16TH, 2007

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