



ON THE DOCKET

APRIL 27TH, 2009

A publication of the Stanislaus County District Attorney's Office

TRIALS IN PROGRESS THE WEEK OF APRIL 27TH, 2009

DEPARTMENT 4

JUDGE FREELAND

#1246927 Defendant Ramsen Isaac Rasho. Jury trial began April 29th in Department 4 before Judge Freeland on the felony charge of Possession of Marijuana for Sale.

DEPARTMENT 6

JUDGE ASHLEY

#1092413 Defendants Pedro Luis Castillo and Rigoberto Moreno. Jury trial began April 27th in Department 6 before Judge Ashley on the felony charge of Murder.

DEPARTMENT 9

JUDGE STEFFEN

#1215177 Defendant Albert Levesque. Jury trial began April 29th in Department 9 before Judge Steffen on the misdemeanor charges of Hit and Run, Providing False Information to a Peace Officer, and the infraction of Failing to Provide Proof of Automobile Insurance.

CASES TENTATIVELY SET FOR TRIAL THE WEEK OF APRIL 27TH, 2009

DEPARTMENT 1

JUDGE SALTER

#1105060 Defendant Robert Earl Davis. Set for jury trial May 4th in Department 1 before Judge Salter on the felony charges of Possession of Ecstasy for Sale and Possession of Marijuana for Sale.

DEPARTMENT 2

JUDGE SILVEIRA

#1255496 Defendant Brandon Michael Content. Set for jury trial May 5th in Department 2 before Judge Silveira on the misdemeanor charge of Reckless Driving and the infraction of Having No Front or Rear License Plates.

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DEPARTMENT 3

JUDGE WHITESIDE

#1253784 and #1255288 Defendant Gerardo Lopez Alcala. Set for jury trial May 5th in Department 3 before Judge Whiteside on the felony charges of Driving Under the Influence (DUI) While Having Three or More DUI Convictions (both cases), and the misdemeanor charges of Driving Without a License (both cases), Driving on a Suspended License (#1255288), and the infraction of Failing to Provide Proof of Automobile Insurance (both cases).

#1232128 Defendant Brian Kenneth Willoughby. Set for jury trial May 5th in Department 3 before Judge Whiteside on the felony charges of Possession of Methamphetamine and Failure to Appear after Being Released on Bail.

#1241837 Defendant Bryson George Cain. Set for jury trial May 5th in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI).

DEPARTMENT 4

JUDGE FREELAND

No jury trials scheduled.

DEPARTMENT 5

JUDGE ZEFF

#1256906 Defendant Reginald Wayne Gilmore. Set for jury trial May 4th in Department 5 before Judge Zeff on the felony charge of Petty Theft with Prior Theft Convictions.

DEPARTMENT 6

JUDGE ASHLEY

#1242150 and #1246405 Defendant Miguel Angel Chaparro. Set for jury trial May 4th in Department 6 before Judge Ashley on the felony charges of Evading a Peace Officer (#1242150), First Degree Burglary, Grand Theft Firearm (#1246405) and the misdemeanor charge of Resisting Arrest (#1242150).

DEPARTMENT 7

JUDGE SHAVER

#1244127 Defendant Jerry Doyle Gass. Set for jury trial May 5th in Department 7 before Judge Shaver on the felony charge of Possession of Methamphetamine, and the misdemeanor charges of Destroying or Concealing Evidence and Driving on a Suspended License.

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#1249532 Defendant Bhartari Singh. Set for jury trial May 5th in Department 7 before Judge Shaver on the felony charge of Attempted Rape and Sexual Battery.

DEPARTMENT 8

JUDGE CORDOVA

#1252542 Defendant Duane Eddy Angle. Set for jury trial May 5th in Department 8 before Judge Cordova on the felony charge of Assault with a Deadly Weapon and the misdemeanor charge of Possession of a Switchblade Knife.

#1248007 Defendant Walter Thomas Chand. Set for jury trial May 5th in Department 8 before Judge Cordova on the felony charge of Sodomy with a Victim Under the Age of 14 Years.

#1253159 Defendant Darren Kiyoshi Kalan Kawamoto. Set for jury trial May 5th in Department 8 before Judge Cordova on the felony charge of Threatening to Commit a Crime Resulting in Great Bodily Injury or Death.

#1252731 Defendant Darrell Anthony Henley. Set for jury trial May 5th in Department 8 before Judge Cordova on the misdemeanor charge of Battery Resulting in Serious Bodily Injury.

#1250499 Defendant Richard Allan Michel. Set for jury trial May 5th in Department 8 before Judge Cordova on the misdemeanor charge of Assault with a Deadly Weapon.

#1400923 Defendant Richard Dean Schmidt. Set for jury trial May 5th in Department 8 before Judge Cordova on the misdemeanor charges of Indecent Exposure and Annoying or Molesting a Child Under the Age of 18.

DEPARTMENT 9

JUDGE STEFFEN

No jury trials scheduled.

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DISPOSITION OF CASES SET FOR TRIAL/PRETRIAL THE WEEK OF APRIL 20TH, 2009

DEPARTMENT 1

JUDGE SALTER

#1252713 Defendant Natalia Maria Bower. Set for jury trial April 27th in Department 1 before Judge Salter on the misdemeanor charges of Threatening to Commit a Crime Resulting in Great Bodily Injury or Death and Possession of a Tear Gas Weapon. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence because the complaining witness could not be located to testify.

#1241559 and #1237847 Defendant Garland Roy Williams. Set for jury trial May 26th in Department 1 before Judge Salter on the felony charges of Domestic Violence (#1241559) and Grand Theft (#1237847), having a prior felony conviction that falls under California's "Three Strikes" law. The trial date was vacated after the defendant pled guilty, admitted the "strike" prior, and was sentenced to 7 years and 4 months in state prison. Deputy District Attorney Nate Baker prosecuted the case on behalf of the People.

#1240604 Defendants Alejandro Molina and Zulema Tobar. Set for jury trial May 4th in Department 1 before Judge Salter on the felony charges of Robbery and False Imprisonment (both defendants), having used a gun, having a prior serious felony conviction and having a prior felony conviction which falls under California's "Three Strikes" law (Defendant Molina). The trial date was vacated after Defendant Tobar pled guilty to Robbery. Sentencing is scheduled for June 2nd in Department 1. The Court granted the defendant Molina's motion to have new counsel appointed. A hearing to appoint new counsel is scheduled for May 4th in Department 1.

DEPARTMENT 2

JUDGE SILVEIRA

#1257349 and 1257774 Defendant Miguel Salamaca. Set for court trial April 28th in Department 2 before Judge Silveira on the infraction of Possession of an Open Container of Alcoholic Beverage in a Park or Public Place (both cases). The trial date was vacated after the Court granted the People's motion to dismiss the cases due to insufficient evidence.

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DEPARTMENT 3

JUDGE WHITESIDE

#1253633 Defendant Gilberto Belmonte Verduzco. Set for jury trial May 5th in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the defendant pled guilty to Alcohol Related Reckless Driving, was placed on 3 years informal probation, ordered to pay specified fines and attend a Level I alcohol counseling program.

DEPARTMENT 4

JUDGE FREELAND

#1235878 Defendant Timothy Ryan Jamison. Set for jury trial April 28th in Department 4 before Judge Freeland on the felony charges of Committing a Lewd and Lascivious Act With a Child Under the Age of 14 and Possession of Child Pornography. The trial date was vacated after the defendant pled guilty and was sentenced to 3 years, 8 months in state prison. Deputy District Attorney Annette Rees prosecuted the case on behalf of the People.

#1215478 Defendants Sergio Evaristo Martinez and Socorro Pino. Set for jury trial May 5th in Department 4 before Judge Freeland on the felony charges of Cultivating/Harvesting Marijuana, Possession of Marijuana for Sale, Child Endangerment, Possession of an Assault Weapon, and the misdemeanor charge of Possession of Gaffs, Slashers or Sharp Implements. The trial date was vacated when a new attorney substituted in for Defendant Martinez and the Court granted the defense motion to continue the case for more time to prepare. A hearing to reset the jury trial is scheduled for May 5th in Department 4.

#1254856 Defendant Tyne Lauren Thomas. Set for jury trial April 28th in Department 4 before Judge Freeland on the misdemeanor charge of Violation of a Court Order. The trial date was vacated after the Court granted the defense motion to continue the case because the attorney was unavailable. A hearing to reset the jury trial is scheduled for May 18th in Department 4.

#1253806 Defendant David Donnell Robinson. Set for jury trial May 5th in Department 4 before Judge Freeland on the misdemeanor charges of Domestic Violence and Injuring a Wireless Communication Device. The trial date was vacated after the Court granted the defense motion to continue the case because defense counsel would be unavailable. A new pretrial hearing is scheduled May 18th in Department 4.

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DEPARTMENT 5

JUDGE ZEFF

#1234499 Defendant Jennifer Lynne Tavener. Set for jury trial April 27th in Department 5 before Judge Zeff on the felony charge of Attempted Possession of Methamphetamine. The trial date was vacated after the defendant pled guilty, was placed on 3 years formal probation, and referred to the drug treatment program pursuant to Proposition 36 as required by law.

#1246092 Defendant Eric Heath Brock. Set for jury trial July 6th in Department 5 before Judge Zeff on the misdemeanor charge of Petty Theft. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence.

#1213025 Defendant Navy Run. Set for jury trial April 27th in Department 5 before Judge Zeff on the felony charge of Grand Theft. The trial date was vacated after the Court granted a joint motion to continue the case because there was no interpreter available. A hearing to reset the jury trial is scheduled for May 1st in Department 5.

#1255836 Defendant Adan Rangel. Set for jury trial November 9th in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI), having refused to submit to a chemical test, Driving on a Suspended License, and Driving Without a Valid License (#1255836). The trial date was vacated after the defendant pled no contest to DUI and Driving on a Suspended License, admitted the refusal allegation, was placed on 3 years informal probation, ordered to pay specified fines, attend a Level I alcohol counseling program, and sentenced to 240 days in the county jail.

#1232143 Defendant Eddie Charles Brown. Set for jury trial May 4th in Department 5 before Judge Zeff on the felony charge of Possession of Methamphetamine, having a prior felony conviction that falls under California's "Three Strikes" law, and the misdemeanor charge of Possession of Less Than One Ounce of Marijuana. The trial date was vacated after the Court granted the defense motion to continue the case for further investigation and due to scheduling conflicts. A hearing to reset the jury trial is scheduled for May 18th in Department 5.

#1249902 Defendant Christopher Michael Watson. Set for jury trial May 4th in Department 5 before Judge Zeff on the felony charge of First Degree Burglary. The trial date was vacated after the Court granted the defense motion to continue the case because the defendant hired a new attorney and more time is needed to prepare for trial. A hearing to reset the jury trial is scheduled for May 22nd in Department 5.

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#1105282 Defendant Chan Eang. After a four-day Court trial began April 28th in Department 5 before Judge Zeff on the felony charge of Grand Theft, the Court found the defendant guilty as charged. Sentencing is scheduled for May 28th in Department 5. Deputy District Attorney Wendell Emerson prosecuted the case on behalf of the People.

#1256669 Defendant Oscar Vadillo Chacon. Set for jury trial May 4th in Department 5 before Judge Zeff on the felony charges of Domestic Violence and Threatening to Commit a Crime Resulting in Great Bodily Injury or Death. The trial date was vacated after the Court granted the defense motion to continue the case because new counsel was substituted in and more time is needed to prepare for trial. A hearing to reset the jury trial is scheduled for May 14th in Department 5.

#1233282 Defendant Juan Jorge Garcia Rubrica. Set for jury trial May 4th in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI), having two prior DUI convictions, and Driving on a Suspended License, having a prior conviction of the same. The trial date was vacated after the defendant pled no contest to the charges and admitted all of the priors. He was placed on 3 years informal probation, ordered to pay specified fines, attend alcohol counseling, and sentenced to 240 days in the county jail. The defendant was also designated as a habitual transient offender.

#1246184 Defendant Vicki Lynn Poulson Conklin. Set for jury trial May 4th in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI), Driving on a Suspended License, and Possession of Drug Paraphernalia. The trial date was vacated after the Court granted the defense motion to continue the case for further investigation and due to a material witness being unavailable. The jury trial is rescheduled for June 1st in Department 5.

#1248301 Defendant Eugene Scott Silva. Set for jury trial May 4th in Department 5 before Judge Zeff on the misdemeanor charges of Possession of Drug Paraphernalia and Resisting Arrest. The trial date was vacated after the Court granted a joint motion to continue the case because the defendant may face additional charges. A new pretrial hearing is scheduled for May 4th in Department 5.

DEPARTMENT 6

JUDGE ASHLEY

#1253940 Defendants Noe Lopez and Ociel Silva Lopez. Set for jury trial April 27th in Department 6 before Judge Ashley on the misdemeanor charge of Grand Theft of Crops of a Value of Over \$100.00. The trial date was vacated after both of the defendants pled guilty, were placed on 3 years informal probation, ordered to pay specified fines and sentenced to 45 days in the county jail.

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#1102643 Defendant David William Hess. After a two-week jury trial that began April 13th in Department 6 before Judge Ashley on the felony charges of Carjacking, the jury found the defendant guilty as charged. The jury also found true the allegation that the carjacking was committed for the benefit of, and at the direction of, the Nazi Low Rider criminal street gang. Sentencing is scheduled for May 29th in Department 6. The defendant also admitted having two prior felony convictions for which he served commitments to state prison. Deputy District Attorney Thomas Brennan prosecuted the case for the People.

#1104272 Defendant Armando Angulo Medina. Set for jury trial May 4th in Department 6 before Judge Ashley on the felony charges of Transportation of Cocaine, Possession of Cocaine for Sale, and Possession of Cocaine. The trial date was vacated after the Court granted the defense motion to continue the case due to scheduling conflicts. A hearing to reset the jury trial is scheduled for May 13th in Department 6.

#1242685 Defendant Victor James Camarena. Set for jury trial May 4th in Department 6 before Judge Ashley on the felony charges of Carjacking, Robbery, Intimidating a Witness, Threatening to Commit a Crime Resulting in Great Bodily Injury or Death, and False Imprisonment. The trial date was vacated after the Court granted the defense motion to continue the case due to new prosecution evidence. A hearing to reset the jury trial is scheduled for May 20th in Department 6.

#1242517 Defendant Rudy Ray Ornelas. Set for jury trial May 4th in Department 6 before Judge Ashley on the felony charge of False Imprisonment. The trial date was vacated after the Court granted a joint motion to continue the case due to new prosecution evidence. A hearing to reset the jury trial is scheduled for July 10th in Department 6.

#1246400 Defendant Brandon Scott Thornsberry. Set for jury trial April 27th in Department 6 before Judge Ashley on the felony charges of Second Degree Burglary and Receiving Stolen Property, having three prior felony convictions for which the defendant served commitments to state prison. The trial date was vacated after the defendant pled guilty to Second Degree Burglary. Sentencing is scheduled for July 29th in Department 6.

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DEPARTMENT 7

JUDGE SHAVER

#1244107 Defendant Jacob Daniel Franklin. Set for jury trial May 5th in Department 7 before Judge Shaver on the felony charges of Murder and Assault Likely to Cause Great Bodily Injury or Death Upon a Victim Under 8 Years of Age. The trial date was vacated after the Court granted the defense motion to continue the case. A hearing to reset the jury trial is scheduled for May 5th in Department 7.

#1228293 Defendant Devin Marque Cole. Set for jury trial May 19th in Department 7 before Judge Shaver on the felony charges of Attempted Murder, Discharging a Firearm at an Inhabited Dwelling/Vehicle and Assault With a Deadly Weapon. The trial date was vacated after the Court granted the defense motion to continue the case to obtain an expert witness. A hearing to reset the jury trial is scheduled for May 19th in Department 7.

#1242791 Defendant Jordan Perez. Set for jury trial April 21st and trailing to April 28th in Department 7 before Judge Shaver on the felony charge of Domestic Violence. The trial date was vacated after the Court granted the defense motion to continue the case because an expert witness was not available to testify. The jury trial was rescheduled for June 2nd in Department 7.

#1245184 Defendant Jose de Jesus Varga Hernandez. Set for jury trial April 28th in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the defendant pled guilty to Reckless Driving, was placed on 3 years informal probation and ordered to pay specified fines.

#1246816 Defendant Boris Ernesto Marroquin. Set for jury trial May 5th in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the defendant pled no contest to Alcohol Related Reckless Driving, was placed on 3 years informal probation and was ordered to pay specified fines.

#1245379 Defendant Donnie Diego Garcia. Set for jury trial April 28th in Department 7 before Judge Shaver on the felony charge of Resisting/Deterring an Executive Officer. The trial date was vacated after the Court granted a joint motion to continue the case because of witnesses being unavailable. The jury trial is rescheduled for July 9th in Department 7.

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#1243066 Defendant Gregory Anthony Pimentel. Set for jury trial May 5th in Department 7 before Judge Shaver on the felony charge of Owning/Operating a Chop Shop and Receiving Stolen Property. The trial date was vacated after the defendant pled guilty to misdemeanor Receiving Stolen Property, was placed on 3 years probation and sentenced to 60 days in the county jail.

DEPARTMENT 8

JUDGE CORDOVA

#1400618 Defendant Michael Emil Harris. Set for jury trial April 28th in Department 8 before Judge Cordova on the misdemeanor charges of Being Under the Influence of a Controlled Substance, Possession of Burglary Tools and Resisting Arrest. The trial date was vacated after the defendant pled guilty to Being Under the Influence of a Controlled Substance, was placed on 3 years informal probation and sentenced to 90 days in the county jail.

#1252603 Defendant Donald James Miller. Set for jury trial April 28th in Department 8 before Judge Cordova on the felony charge of Arson. The trial date was vacated after the defendant pled guilty, was placed on 3 years formal probation, ordered to register as an arsonist for the rest of his life, and sentenced to 120 days in the county jail.

#1253702 Defendant Tomas Saucedo Lopez. After a two-day jury trial that began April 28th in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI) and Driving on a Suspended License, the jury found the defendant guilty of DUI. He was placed on 3 years informal probation, ordered to pay specified fines, attend a Level I alcohol counseling program, and sentenced to 10 days in the county jail. Deputy District Attorney Miles Kowalski prosecuted the case on behalf of the People.

#1210844 Defendant Dwayne Jordan. Set for jury trial May 5th in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI), having a prior DUI conviction. The trial date was vacated after the defendant pled guilty to reckless driving, was placed on 18 months informal probation, ordered to attend a Level I alcohol counseling program and pay specified fines.

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DEPARTMENT 9

JUDGE STEFFEN

#1213465 and #1253243 Defendants Roy Oyarzabal and Ramiro Sanchez. Set for jury trial on June 1st in Department 9 before Judge Steffen on the felony charges of Sale of Heroin (both defendants - #1213465), Possession of Heroin for Sale, Child Endangerment (Sanchez #1213465), Possession of Heroin (Sanchez #1253243), and the misdemeanor charge of Possession of a Hypodermic Syringe (Sanchez #1253243). The trial date was vacated after the Court granted the People's motion to continue the case for further investigation. The jury trial is rescheduled for October 26th in Department 9.

DEPARTMENT 11

JUDGE REEVES

No cases to report.

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