



# ON THE DOCKET

JUNE 1<sup>ST</sup>, 2009

A publication of the Stanislaus County District Attorney's Office

## **TRIALS IN PROGRESS THE WEEK OF JUNE 1<sup>ST</sup>, 2009**

### **DEPARTMENT 2**

### **JUDGE SILVEIRA**

#**1253694** Defendant William Adrian Martinez. Jury trial began May 29<sup>th</sup> in Department 2 before Judge Silveira on the misdemeanor charges of Driving Under the Influence (DUI), Driving on a Suspended License, and Driving Without a Valid License.

### **DEPARTMENT 4**

### **JUDGE FREELAND**

#**1252404** Defendant Gustavo Peregrina. Jury trial began May 26<sup>th</sup> in Department 4 before Judge Freeland on the felony charges of Aggravated Sexual Assault of a Child, Child Molest With Force or Violence, and Threatening to Commit a Crime Resulting in Great Bodily Injury or Death.

### **DEPARTMENT 5**

### **JUDGE ZEFF**

#**1242670** Defendant Andrew Martin Preciado aka Loya. Jury trial began May 27<sup>th</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Domestic Battery and Resisting Arrest.

## **CASES TENTATIVELY SET FOR TRIAL THE WEEK OF JUNE 1<sup>ST</sup>, 2009**

### **DEPARTMENT 1**

### **JUDGE SALTER**

#**1249683** Defendant Jerry Michael Titus. Set for jury trial June 1<sup>st</sup> in Department 1 before Judge Salter on the felony charges of Driving Under the Influence (DUI) While Having Three or More Prior DUI Convictions Within the Last 10 Years, and the misdemeanor charges of Being Under the Influence of a Controlled Substance and Driving on a Suspended License.

### **DEPARTMENT 2**

### **JUDGE SILVEIRA**

#**1227178** Defendant Donald Younan Kando. Set for jury trial June 2<sup>nd</sup> in Department 2 before Judge Silveira on the misdemeanor charges of Indecent Exposure and Battery.

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## DEPARTMENT 3

## JUDGE WHITESIDE

#**1237136** Defendant Arturo Ortiz Bautista. Set for jury trial June 2<sup>nd</sup> in Department 3 before Judge Whiteside on the felony charges of Annoying or Molesting a Child 14 or 15 Years of Age and 10 Years Younger Than Defendant and Attempted Oral Copulation of a Minor Under the Age of 16, and Defendant Over 21.

## DEPARTMENT 4

## JUDGE FREELAND

#**1257829** Defendant Nicole Therese Luderman. Set for jury trial June 2<sup>nd</sup> in Department 4 before Judge Freeland on the misdemeanor charges of Driving Under the Influence (DUI).

## DEPARTMENT 5

## JUDGE ZEFF

#**1251736** Defendant Stephen Lawrence Gutierrez. Set for jury trial June 1<sup>st</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Threatening to Commit a Crime Resulting in Great Bodily Injury or Death and Brandishing a Weapon.

## DEPARTMENT 6

## JUDGE ASHLEY

#**1250912** Defendant Joyce Sue Barrick. Set for jury trial June 1<sup>st</sup> in Department 6 before Judge Ashley on the felony charge of Possession of Methamphetamine and the misdemeanor charge of Possession of a Hypodermic Syringe.

## DEPARTMENT 7

## JUDGE SHAVER

#**1242791** Defendant Jordan Perez. Set for jury trial June 2<sup>nd</sup> in Department 7 before Judge Shaver on the felony charge of Domestic Violence.

## DEPARTMENT 8

## JUDGE CORDOVA

#**1253267** Defendant Janell Lynn Bautista. Set for jury trial June 2<sup>nd</sup> in Department 8 before Judge Cordova on the felony charges of Possession of Methamphetamine, Possession of Hydrocodone, and the misdemeanor charge of Possession of Drug Paraphernalia.

#**1242193** Defendant Louis Yousif Barkho. Set for jury trial June 2<sup>nd</sup> in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI).

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**#1401963** Defendant Arnold Lopez Gutierrez. Set for jury trial June 2<sup>nd</sup> in Department 8 before Judge Cordova on the misdemeanor charge of Being Drunk in Public.

**#1254235** Defendant Joe Taylor Johnson. Set for jury trial June 2<sup>nd</sup> in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI).

**#1253395** Defendant Aaron Anthony Vrh. Set for jury trial June 2<sup>nd</sup> in Department 8 before Judge Cordova on the misdemeanor charges of False Imprisonment and Domestic Battery.

## DEPARTMENT 9

## JUDGE STEFFEN

No jury trials scheduled.

## DISPOSITION OF CASES SET FOR TRIAL/PRETRIAL THE WEEK OF MAY 26<sup>TH</sup>, 2009

## DEPARTMENT 1

## JUDGE SALTER

**#1250359** Defendant Chanda Ngoun. Set for jury trial June 1<sup>st</sup> in Department 1 before Judge Salter on the felony charges of Auto Theft, Receiving a Stolen Vehicle and Evading a Peace Officer. The trial date was vacated after the defendant pled guilty to Attempted Auto Theft, Evading a Peace Officer, and admitted having one prior felony conviction that falls under California's "Three Strikes" law. Sentencing is scheduled for June 2<sup>nd</sup> in Department 1.

**#1255024** Defendant Lamont Jackson. Set for jury trial June 22<sup>nd</sup> in Department 1 before Judge Salter on the felony charge of Domestic Violence. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence because the victim could not be located.

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## DEPARTMENT 2

## JUDGE SILVEIRA

**#1252717** Defendant Marie Ellen Azparren. Set for jury trial June 2<sup>nd</sup> in Department 2 before Judge Silveira on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the Court granted the defense motion to continue the case in order to prepare a motion to suppress evidence. A hearing on that motion is scheduled for June 15<sup>th</sup> in Department 2.

**#1248059** Defendant Charles Barton Hammond. Set for jury trial June 2<sup>nd</sup> in Department 2 before Judge Silveira on the misdemeanor charges of Trespassing on Railroad Property and Resisting Arrest. The trial date was vacated after the Court granted the defense motion to continue the case due to discovery issues. A hearing to reset the jury trial is scheduled for June 24<sup>th</sup> in Department 2.

**#1244635** Defendant Jason Andrew Ornelas. Set for jury trial June 2<sup>nd</sup> in Department 2 before Judge Silveira on the felony charges of Possession of Cocaine for Sale, Possession of Methamphetamine for Sale, Possession of Marijuana for Sale, and Being a Felon in Possession of a Firearm. 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 June 24<sup>th</sup> in Department 2.

**#1250300** Defendant Victor Daniel Lindo. Set for jury trial June 2<sup>nd</sup> in Department 2 before Judge Silveira on the felony charge of Threatening to Commit a Crime Resulting in Great Bodily Injury or Death. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence.

**#1254310** Defendant Melodie Lynn Seymore. Set for jury trial June 2<sup>nd</sup> in Department 2 before Judge Silveira on the misdemeanor charge of Battery. The trial date was vacated after the defendant pled no contest to the lesser related offense of Fighting in Public, was placed on 3 years informal probation, ordered to pay specified fines and sentenced to 1 day in the county jail.

**#1236323 and #1253338** Defendant Raul Salamaca, Jr. Set for jury trial June 2<sup>nd</sup> in Department 2 before Judge Silveira on the misdemeanor charges of Possession of Less than 1 Ounce of Marijuana (#1236323) and Child Endangerment (#1253338). The trial date was vacated after the defendant failed to appear at the pretrial hearing.

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**#1245488** Defendant Moriamo Olatokunbo Shittu. After a four-day jury trial that began May 26<sup>th</sup> in Department 2 before Judge Silveira on the misdemeanor charges of Driving Under the Influence (DUI), the jury found the defendant guilty as charged. He was placed on 3 years informal probation, ordered to pay specified fines, attend a Level I alcohol counseling program, and sentenced to 48 hours in the county jail. Deputy District Attorney Anthony Colacito prosecuted the case on behalf of the People.

## DEPARTMENT 3

## JUDGE WHITESIDE

**#125483** Defendant Eric John Everhard. Set for jury trial June 2<sup>nd</sup> in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI) and Resisting Arrest. The trial date was vacated after the defendant pled guilty to DUI, was placed on 3 years informal probation, ordered to pay specified fines, attend a Level I alcohol counseling program and sentenced to 48 hours in the county jail.

## DEPARTMENT 4

## JUDGE FREELAND

**#1252645** Defendant Eric Steven Neves. Set for jury trial June 9<sup>th</sup> in Department 4 before Judge Freeland on the felony charge of Possession of Methamphetamine and the misdemeanor charge of Possession of Drug Paraphernalia. The trial date was vacated after the defendant pled guilty to Possession of Methamphetamine. Sentencing is scheduled for September 28<sup>th</sup> in Department 4 for the defendant to begin receiving counseling pursuant to Prop 36.

## DEPARTMENT 5

## JUDGE ZEFF

**#1242869** Defendant Deborah Ann Sheppard. Set for jury trial May 27<sup>th</sup> in Department 5 before Judge Zeff on the misdemeanor charge of Vandalism. The trial date was vacated after the Court granted the defense motion to continue the case due to a conflict of interest. New counsel was appointed and a pretrial scheduled for June 3<sup>rd</sup> in Department 5.

**#1250005** Defendant Dorothy Rose Skinner. Set for jury trial June 1<sup>st</sup> in Department 5 before Judge Zeff on the misdemeanor charge of Domestic Violence. The trial date was vacated after the defendant failed to appear at the pretrial hearing.

**#1243831** Defendant John Dale Shafer. Set for jury trial June 1<sup>st</sup> in Department 5 before Judge Zeff on the felony charge of Receiving Stolen Property. The trial date was vacated after the defendant pled guilty, was placed on 3 years formal probation and sentenced to 90 days in the county jail.

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**#1229052** Defendant Breanne Ramos. Set for jury trial June 2<sup>nd</sup> in Department 5 before Judge Zeff on the felony charge of Embezzlement. The trial date was vacated after the defendant pled guilty, was placed on 3 years formal probation and sentenced to 90 days in the county jail.

## **DEPARTMENT 6**

## **JUDGE ASHLEY**

No cases to report.

## **DEPARTMENT 7**

## **JUDGE SHAVER**

**#1400482** Defendant Stacy Marie Bejaran. Set for jury trial May 26<sup>th</sup> in Department 8 before Judge Cordova on the misdemeanor charge of Petty Theft. The trial date was vacated after a hearing in Department 7 before Judge Shaver when the defendant pled no contest, was placed on 3 years informal probation, ordered to pay specified fines and sentenced to 45 days in the county jail.

**#1401720** Defendant Robbie Hull, Jr. Set for jury trial May 26<sup>th</sup> in Department 7 before Judge Shaver on the misdemeanor charge of Possession of Drug Paraphernalia. The jury trial date was vacated after the defendant pled guilty, was placed on 3 years informal probation, ordered to pay specified fines and sentenced to 37 days in the county jail.

**#1257866** Defendant William Marshall Barstow. Set for jury trial June 2<sup>nd</sup> in Department 7 before Judge Shaver on the misdemeanor charge of Domestic Battery. The trial date was vacated after the Court granted a joint motion to continue the case for further investigation. A new pretrial hearing is scheduled for June 22<sup>nd</sup> in Department 7.

**#1254620** Defendant Gregory Francis Habib. Set for jury trial June 2<sup>nd</sup> in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI), having refused to submit to a chemical test, Possession of Drug Paraphernalia, and Driving on a Suspended License. The trial date was vacated after the defendant pled no contest to DUI and Possession of Drug Paraphernalia, admitted the refusal allegation, was sentenced to 3 years informal probation, ordered to pay specified fines, attend a Level I alcohol counseling program and sentenced to 20 days in the county jail.

**#1400249** Defendant Eric Jesus Braojos. After a three-day jury trial that began May 26<sup>th</sup> in Department 7 before Judge Shaver on the misdemeanor charge of Domestic Battery, the jury was unable to reach a verdict. A new pretrial hearing is scheduled for June 17<sup>th</sup> in Department 8 before Judge Cordova.

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**#1252530** Defendant Edward Perez. Set for jury trial May 26<sup>th</sup> in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the Court granted a joint motion to continue the case because both attorneys are in an ongoing trial. The jury trial is rescheduled for June 23<sup>rd</sup> in Department 7.

## DEPARTMENT 8

## JUDGE CORDOVA

**#1255270** Defendant Melchor Fong Leyva. Set for jury trial June 2<sup>nd</sup> in Department 8 before Judge Cordova on the misdemeanor charge of Resisting Arrest. The trial date was vacated after the defendant failed to appear at the pretrial hearing.

**#1219193** Defendant Kenneth Jefferson Burns. After a week-long jury trial that began May 19<sup>th</sup> in Department 8 before Judge Cordova on the felony charges of Committing a Lewd and Lascivious Act With a Child Under the Age of 14, Annoying or Molesting a Child 14 or 15 Years of Age and Ten Years Younger than the Defendant, the jury found the defendant guilty as charged. Sentencing is scheduled for July 20<sup>th</sup> in Department 8. Deputy District Attorney Nathan Baker prosecuted the case on behalf of the People.

**#1229593** Defendant Corey James Lutton. Set for jury trial May 26<sup>th</sup> in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the Court granted the defense motion to continue the case due to a scheduling conflict. The jury trial is rescheduled for August 5<sup>th</sup> in Department 8.

**#1402544** Defendant Paulo Arturo Martinez Gil. Set for jury trial June 2<sup>nd</sup> in Department 8 before Judge Cordova on the misdemeanor charges of Loitering, Giving False Identification to a Peace Officer, and Failure to Register as a Sex Offender. The trial date was vacated after the defendant pled no contest to Giving False Identification to a Peace Officer, was placed on 3 years informal probation, ordered to pay specified fines, and sentenced to 20 days in the county jail.

## DEPARTMENT 9

## JUDGE STEFFEN

No cases to report.

## DEPARTMENT 11

## JUDGE REEVES

No cases to report.

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