



# ON THE DOCKET

September 28<sup>th</sup>, 2009

A publication of the Stanislaus County District Attorney's Office

## **TRIALS IN PROGRESS THE WEEK OF SEPTEMBER 28<sup>th</sup>, 2009**

### **DEPARTMENT 5**

### **JUDGE ZEFF**

#**1236092** Defendant Pedro O. Arana. Jury trial began September 21<sup>st</sup> in Department 5 before Judge Zeff on the misdemeanor charge of Causing a Fire with Equipment and the infraction of Operating an Unsafe Vehicle.

### **DEPARTMENT 6**

### **JUDGE ASHLEY**

#**1257516** Defendant Carlos Anthony Gallegos. Set for jury trial September 21<sup>st</sup> and trailing to September 28<sup>th</sup> in Department 6 before Judge Ashley on the felony charges of Carjacking and Robbery.

#**1250443** Defendant Ibis Alejandro Ortiz. Set for jury trial September 21<sup>st</sup> and trailing to September 28<sup>th</sup> in Department 6 before Judge Ashley on the felony charges of Possession of Methamphetamine for Sale, Possession of Marijuana for Sale, and Knowingly Participating in a Criminal Street Gang.

## **CASES TENTATIVELY SET FOR TRIAL THE WEEK OF SEPTEMBER 28<sup>th</sup>, 2009**

### **DEPARTMENT 1**

### **JUDGE SALTER**

No jury trials scheduled.

### **DEPARTMENT 2**

### **JUDGE SILVEIRA**

#**1235328** Defendant Urbano Chavez Lucatero. Set for jury trial September 29<sup>th</sup> in Department 2 before Judge Silveira on the felony charges of Possession of Methamphetamine, Possession of Methamphetamine While Being in the Presence of an Operable, Loaded Firearm, and Possession of a Sawed-Off Shotgun.

### **DEPARTMENT 3**

### **JUDGE WHITESIDE**

#**1400804** Defendant Annette Julia Mea Harris. Set for jury trial September 29<sup>th</sup> in Department 3 before Judge Whiteside on the misdemeanor charge of Child Endangerment.

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**#1402456** Defendant Charles Patrick Lee Wettstein. Set for jury trial September 29<sup>th</sup> in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI).

## **DEPARTMENT 4**

## **JUDGE FREELAND**

**#1257919, #1258792, #1401284** Defendant Joseph Anthony Delgado. Set for jury trial September 29<sup>th</sup> in Department 4 before Judge Freeland on the misdemeanor charges of Driving Under the Influence and Driving on a Suspended License (all cases), Hit and Run (#1258792), and the infraction of Failing to Provide Proof of Automobile Insurance (#1401284).

**#1403136** Defendant Joel Jeremiah Gonzalez. Set for jury trial September 29<sup>th</sup> in Department 4 before Judge Freeland on the misdemeanor charge of Domestic Violence.

**#1254764** Defendant Douglas Geoffrey Hardin. Set for jury trial September 29<sup>th</sup> in Department 4 before Judge Freeland on the misdemeanor charges of Resisting Arrest and Being Drunk in Public.

**#1401417** Defendant Trevor James Jackson. Set for jury trial September 29<sup>th</sup> in Department 4 before Judge Freeland on the misdemeanor charges of Brandishing a Weapon and Battery.

## **DEPARTMENT 5**

## **JUDGE ZEFF**

**#1237954** Defendant Janice Lorraine Rutherford. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the felony charges of Hit and Run Causing Injury and Providing False Information to a Peace Officer.

**#1246088** Defendant Ernesto Alonzo Zermeno. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the felony charge of Domestic Violence.

**#1255546** Defendant David Anthony Herrera. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI).

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## DEPARTMENT 6

## JUDGE ASHLEY

**#1256558** Defendant Lyndia Marie Herron. Set for jury trial September 28<sup>th</sup> in Department 6 before Judge Ashley on the misdemeanor charges of Driving Under the Influence, Driving on a Suspended License, and Failing to Provide Proof of Automobile Insurance.

## DEPARTMENT 7

## JUDGE SHAVER

**#1233523** Defendant Raul Espinoza. Set for jury trial September 29<sup>th</sup> in Department 7 before Judge Shaver on the felony charge of Battery Resulting in Serious Bodily Injury.

**#1249018** Defendant Johnnie Ray Perez. Set for jury trial September 29<sup>th</sup> in Department 7 before Judge Shaver on the misdemeanor charge of Resisting Arrest.

## DEPARTMENT 8

## JUDGE CORDOVA

**#1256083** Defendants Jesus Arroyo Barreto and Pedro Gerardo Torrez. Set for jury trial September 29<sup>th</sup> in Department 8 before Judge Cordova on the felony charges of First Degree Burglary, Attempted Carjacking (both defendants) and Threatening to Commit a Crime Resulting in Great Bodily Injury or Death (Barreto).

**#1217645** Defendant Brenda Nicholas. Set for jury trial September 29<sup>th</sup> in Department 8 before Judge Cordova on the felony charges of Grand Theft/Embezzlement/Forgery from Elder, Grand Theft, and Attempted Embezzlement from Elder.

**#1242193** Defendant Louis Yousif Barkho. Set for jury trial September 29<sup>th</sup> in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI).

**#1250499** Defendant Richard Allan Michel. Set for jury trial September 29<sup>th</sup> in Department 8 before Judge Cordova on the misdemeanor charge of Assault With a Deadly Weapon.

## DEPARTMENT 9

## JUDGE STEFFEN

**#1255958** Defendant Bobby M. Guerrero. Set for jury trial September 28<sup>th</sup> in Department 9 before Judge Steffen on the misdemeanor charge of Vandalism.

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## **DISPOSITION OF CASES SET FOR TRIAL/PRETRIAL** **THE WEEK OF SEPTEMBER 21<sup>st</sup>, 2009**

### **DEPARTMENT 1**

### **JUDGE SALTER**

No cases to report.

### **DEPARTMENT 2**

### **JUDGE SILVEIRA**

**#1255144** Defendant Edgar Valdez. Set for jury trial September 22<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 defendant failed to appear at a pretrial hearing.

**#1252942** Defendant Ramiro Velasco Rodriguez. Set for jury trial September 22<sup>nd</sup> in Department 2 before Judge Silveira on the misdemeanor charge of Resisting Arrest. The trial date was vacated after the defendant pled guilty, was placed on 3 years informal probation and ordered to pay specified fines.

**#1241538** Defendant Miguel Felix. Set for jury trial September 22<sup>nd</sup> in Department 2 before Judge Silveira on the felony charges of Being an Ex-Felon in Possession of a Firearm and Being an Ex-Felon in Possession of Ammunition. The trial date was vacated after the Court granted the defense motion to be relieved as counsel. A hearing to reset the jury trial is scheduled for September 28<sup>th</sup> in Department 2.

### **DEPARTMENT 3**

### **JUDGE WHITESIDE**

**#1247285** Defendant Jared Daniel Conway. Set for jury trial September 22<sup>nd</sup> in Department 3 before Judge Whiteside on the felony charges of Kidnapping for Robbery or Rape, Kidnapping, Assault With Intent to Commit Rape, and False Imprisonment, having caused great bodily injury and having a prior felony conviction that falls under California's "Three Strikes" law. The trial date was vacated after the defendant pled guilty as charged. Sentencing is scheduled for October 19<sup>th</sup> in Department 3.

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**#1255128** Defendant Charles Christian Thygesen. Set for jury trial September 22<sup>nd</sup> in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI), having a blood alcohol concentration of .15 percent or more and having a prior DUI conviction, and Driving on a Suspended License. The trial date was vacated after the defendant pled no contest, was placed on 3 years informal probation, ordered to pay specified fines, attend Level II alcohol counseling, and sentenced to a total of 25 days in the county jail.

**#1253479** Defendant Andreas M. Peter Ojeda. Set for jury trial September 22<sup>nd</sup> in Department 3 before Judge Whiteside on the misdemeanor charges of Domestic Violence and Threatening a Witness. The trial date was vacated after the defendant pled guilty, was placed on 3 years probation and sentenced to 30 days in the county jail.

## DEPARTMENT 4

## JUDGE FREELAND

**#1256583** Defendant Jason Lee Beck. Set for jury trial September 22<sup>nd</sup> in Department 4 before Judge Freeland on the misdemeanor charges of Elder Abuse and Battery. The trial date was vacated after the defendant pled no contest to Battery, was placed on 3 years informal probation, ordered to pay specified fines and sentenced to 30 days in the county jail.

**#1252702** Defendant San Juanita Ramirez. Set for jury trial September 22<sup>nd</sup> in Department 4 before Judge Freeland on the misdemeanor charges of Driving Under the Influence (DUI), having a blood alcohol concentration of .15 percent or more, and having a prior DUI conviction. The trial date was vacated after the Court granted the defense motion to continue the case due to witness issues and for further investigation. A hearing to reset the jury trial is scheduled for September 28<sup>th</sup> in Department 4.

**#1403795** Defendant Kent Bradley Shatswell. After a two-day court trial that began September 15<sup>th</sup> in Department 4 before Judge Freeland on the misdemeanor charge of Vehicle Trespassing and Possession of a Tear Gas Weapon, the Court found the defendant guilty as charged, placed him 3 years informal probation and sentenced him to 35 days in the county jail.

**#1247460** Defendant Julio Antonio Medina. Set for jury trial September 22<sup>nd</sup> in Department 4 before Judge Freeland on the misdemeanor charge of Manufacturing/Selling/Possessing Illegal Weapon. The trial date was vacated after the defendant failed to appear.

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## DEPARTMENT 5

## JUDGE ZEFF

**#1252646** Defendant Gagandeep Singh. Set for jury trial September 21<sup>st</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI), and Driving on a Suspended License. The trial date was vacated after the defendant failed to appear.

**#1407599** Defendant Robert Ludlow. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Domestic Battery and Resisting Arrest. The trial date was vacated after the defendant pled no contest to Domestic Battery, was placed on 3 years informal probation, ordered to pay specified fines, and sentenced to 90 days in the county jail to run concurrently with defendant's parole violation, for which he will serve 10 months in state prison.

**#1247020** Defendant Peter Matthew Lindbeck. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Battery on a Peace Officer, Driving Under the Influence (DUI), and Resisting Arrest. The trial date was vacated after the defendant pled no contest to Alcohol Related Reckless Driving and Disturbing the Peace, was placed on 3 years informal probation, ordered to pay specified fines, attend Level I alcohol counseling, serve 50 hours of community service, and sentenced to 30 days in the county jail.

**#1407797** Defendant Kyle Stearns. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the defendant pled no contest, was placed on 3 years informal probation, ordered to attend Level I alcohol counseling, pay specified fines, and sentenced to 2 days in the county jail.

**#1226910** Defendant Jose Angel Jasso. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the felony charge of Resisting or Deterring an Executive Officer. The trial date was vacated after the defendant pled guilty and was sentenced to 3 years in state prison.

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## DEPARTMENT 6

## JUDGE ASHLEY

**#1400459** Defendant Kathleen Kay Thurlow. Set for jury trial September 21<sup>st</sup> in Department 6 before Judge Ashley on the misdemeanor charges of Child Endangerment and Inflicting Traumatic Injury on a Child. The trial date was vacated after the defendant entered a plea of guilty and was referred to a diversion program with parenting and AA counseling. A hearing for the defendant to show proof of enrollment is scheduled for October 16<sup>th</sup> in Department 6.

**#1254917** Defendant Tasha Lee Meager. Set for jury trial October 5<sup>th</sup> in Department 6 before Judge Ashley on the misdemeanor charges of Loitering and Littering. The trial date was vacated after the defendant failed to appear for the pretrial hearing.

**#1250535** Defendant Ted Anthony Wilform. Set for jury trial September 28<sup>th</sup> in Department 5 before Judge Zeff on the felony charge of Possession of Cocaine Base, having two prior felony convictions for which the defendant served commitments to state prison and one prior felony conviction that falls under California's "Three Strikes" law. 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 October 18<sup>th</sup> in Department 6.

**#1403851** Defendant Tiffany Ann Harden. Set for jury trial October 5<sup>th</sup> in Department 6 before Judge Ashley on the misdemeanor charge of Child Endangerment. The trial date was vacated after the defendant pled no contest, was placed on 4 years informal probation, ordered to attend alcohol counseling, attend parenting classes, and sentenced to 15 days in the county jail.

**#1403818** Defendants Miguel Angel Becerra, Jeremy Lee Langan, Justin E. Langan, Mary Macy Langan and Omar Alvarez Ochoa. Set for jury trial October 5<sup>th</sup> in Department 9 before Judge Steffen on the misdemeanor charges as follows:

Miguel Angel Becerra: Trespassing, Battery, Brandishing a Weapon

Jeremy Lee Langan: Trespassing, Battery, Vandalism, Brandishing a Weapon

Justin e. Langan: Brandishing a Weapon

Mary Macy Langan: Trespassing, Battery, Evading a Peace Officer

Omar Alvarez Ochoa: Vandalism

The trial date was vacated after a hearing in Department 6 before Judge Ashley when the Court granted a joint defense motion to continue the trial for further investigation. A hearing to reset the jury trial is scheduled for October 5<sup>th</sup> in Department 9.

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**#1400281** Defendants Christopher Joseph Baker and Antonio DeJesus R. Dominguez. Set for jury trial September 21<sup>st</sup> in Department 6 before Judge Ashley on the misdemeanor charge of Engaging in a Speed Contest (both defendants) and the infraction of Failure to Provide Proof of Automobile Insurance (Baker). The trial date was vacated after Defendant Baker pled guilty to Engaging in a Speed Contest, was placed on 3 years informal probation and sentenced to 5 days in the county jail. Defendant Dominguez failed to appear at the pretrial hearing.

## **DEPARTMENT 7**

## **JUDGE SHAVER**

**#1252530** Defendant Edward Perez. After a week-long jury trial that began September 15<sup>th</sup> in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI), the jury found the defendant guilty as charged. Sentencing is scheduled for September 25<sup>th</sup> in Department 7. Deputy District Attorney Miles Kowalski prosecuted the case on behalf of the People.

**#1401078** Defendant James Kamsso. Set for jury trial September 29<sup>th</sup> in Department 7 before Judge Shaver on the misdemeanor charge of Battery. The trial date was vacated after the Court granted the defense motion to continue the case for further investigation. The jury trial is rescheduled for December 15<sup>th</sup> in Department 7.

**#1248867** Defendant Armando Soria. Set for jury trial September 21<sup>st</sup> in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI), having a prior DUI conviction. The trial date was vacated after a hearing in Department 7 before Judge Shaver when the defendant pled no contest, admitted the prior, was placed on 3 years informal probation, ordered to pay specified fines, attend a Level II alcohol counseling program, and sentenced to 10 days in the county jail.

## **DEPARTMENT 8**

## **JUDGE CORDOVA**

**#1238180** Defendant Reginald Latron Dunlap. Set for jury trial September 22<sup>nd</sup> in Department 8 before Judge Cordova on the felony charges of Transporting Rock Cocaine and Possession of Cocaine Base for Sale. 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 October 19<sup>th</sup> in Department 8.

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**#1257162** Defendant Duane Antoine Jones. Set for jury trial September 29<sup>th</sup> in Department 8 before Judge Cordova on the misdemeanor charge of Receiving Stolen Property. The trial date was vacated after the defendant pled no contest to the infraction of Misappropriation of Lost Property, was placed on 1 year informal probation and ordered to pay specified fines and restitution.

**#1257419** Defendant Rosemarie Burton. Set for jury trial September 22<sup>nd</sup> in Department 8 before Judge Cordova on the misdemeanor charge of Battery. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence.

**#1400106** Defendant Clay Oral Brough. Set for jury trial September 29<sup>th</sup> in Department 8 before Judge Cordova on the misdemeanor charge of Disturbing the Peace. The trial date was vacated after the defendant pled guilty to the charge as an infraction and was ordered to pay specified fines.

**#1238077** Defendant Francisco Trinidad Martinez. Set for jury trial October 5<sup>th</sup> in Department 8 before Judge Cordova on the felony charges of Murder, Flight from a Peace Officer Causing Death, Gross Vehicular Manslaughter While Intoxicated, Vehicle Theft, Buying/Receiving Stolen Vehicle, and the misdemeanor charge of Driving on a Suspended License. The trial date was vacated after the defendant pled guilty to three counts of Gross Vehicular Manslaughter While Intoxicated, having fled the scene, three counts of Flight from a Peace Officer Causing Death, Buying/Receiving Stolen Vehicle, having two prior felony convictions for which the defendant served commitments to state prison, and the misdemeanor charge of Driving on a Suspended License. Sentencing is scheduled for November 2<sup>nd</sup> in Department 8.

**#1251901** Defendant Nazario Olvera Navarro. Set for jury trial September 29<sup>th</sup> in Department 8 before Judge Cordova on the felony charge of Receiving Stolen Property. The trial date was vacated after the defendant pled guilty, admitted two prior felony convictions for which he served prison commitments, one prior felony conviction that falls under California's "Three Strikes" law. Sentencing is scheduled for September 28<sup>th</sup> in Department 8.

**#1226471** Defendant Timothy Carrillo. After a month-and-a-half long trial that began August 11<sup>th</sup> in Department 8 before Judge Cordova on the felony charge of two counts of Murder, having discharged a firearm during the commission of the offense, the jury found the defendant guilty as charged. Sentencing is scheduled for December 18<sup>th</sup> in Department 8. Deputy District Attorney Richard Gore prosecuted the case for the People.

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**DEPARTMENT 9**

**JUDGE STEFFEN**

No cases to report.

**DEPARTMENT 11**

**JUDGE REEVES**

No cases to report.

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