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NEWS RELEASE

For Immediate Release

Date: August 13, 2002

Re: **Charles Kuykendall**

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MODESTO, CALIFORNIA – Stanislaus County District Attorney James Brazelton announced today that Charles Kuykendall, age 43, was convicted on August 9th, 2002 of felony Attempted Murder, Residential Burglary, Battery on a Spouse and Criminal Threats. He was also found to have used a weapon and inflicted great bodily injury upon the victim. Deputy District Attorney JaVonne Phillips prosecuted the case for the People.

Testimony in the case showed that Kuykendall's estranged wife divorced him in May of 2001. Shortly thereafter, he began stalking her and threatening her with death. Sometime after midnight on July 10th, 2001, Kuykendall broke into her home. Armed with an ax handle, he went straight to the bedroom she was sleeping. Kuykendall struck her in the head with the ax handle causing an injury that required a total of 48 stitches to repair. He fled the scene but was arrested later that same day.

Kuykendall testified in his own defense during the 3 day trial and told jurors he was only acting on impulse. His testimony, if it had been believed, was apparently designed to disprove the intent requirement for attempted murder.

Stanislaus County jurors deliberated for several days before reaching their verdicts on Friday, August 9, 2002, explicitly rejecting the "impulse" defense.

Charles Kuykendall is scheduled to be sentenced on September 5, 2002, in Superior Court before Judge Edward M. Lacy, Jr.. He faces a maximum of 17 years in state prison.