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PRESS RELEASE

For immediate release

Contact: Carol Shipley

Date: February 21, 2008

Re: Kelly Callahan

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Modesto, California – Stanislaus County District Attorney Birgit Fladager announced today that Kelly O. Callahan, 46, was convicted of gross vehicular manslaughter, failing to appear on a felony while out on bail, using methamphetamine, and giving a false name to police officers. Defendant was convicted on Wednesday, February 20, 2008 after a trial which started Thursday, February 6, 2008. Deputy District Attorney John R. Mayne appeared for the People.

On Thursday, February 21, 2008, Judge Donald Shaver found defendant guilty of an enhancement for committing the failure to appear while out on bail for a felony which he was later convicted of. Defendant Callahan also admitted suffering prior felony convictions of assault with a deadly weapon (a strike under California's Three Strikes law) and domestic violence, for which the defendant served prison time.

Evidence at trial showed that on June 24, 2005, the defendant was driving southbound on Mercy Avenue in Modesto when he traveled across the center of the road all the way onto the left shoulder, where he struck Ralph Absher, 78, who was digging out weeds at the front of his property.

Defendant had methamphetamine in his system at the time. Expert testimony did not conclusively link the methamphetamine use to the errant driving. Defendant also gave a false name to police officers who were investigating him.

After serving a parole violation, the defendant made bail, and did not come to court for a hearing on February 7, 2007. Defendant was arrested in Sparks, Nevada by the Sparks Police Department on February 25, 2007, and was returned to Modesto.

Defendant is scheduled to be sentenced on March 24, 2008. Defendant's maximum exposure is over 20 years in prison.

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