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PRESS RELEASE

For Immediate Release

Date: September 4, 2009
Re: Josue Arellano – Convicted of
Resisting Arrest; Joaquin Arellano –
Convicted of Resisting Arrest and Driving
Under the Influence (DUI)

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Jose Arellano, age 31, and Joaquin Arellano, age 25, both of Modesto, were convicted after a four-day jury trial of Resisting Arrest. Joaquin Arellano was also convicted of Driving Under the Influence (DUI) and was found to have a blood alcohol concentration of .15 percent or more, and a prior DUI conviction. Deputy District Attorney Megan Greerty prosecuted the case for the People.

The case arose out of events that occurred on October 22, 2007. Officer Weber of the Modesto Police Department was dispatched to a report of a loud noise disturbance and verbal fight at a Yosemite Ave address in Modesto. As Officer Weber was approaching the area, he saw a white Nissan drive past and park across the street from the residence. The driver was later identified as Joaquin Arellano. In front of the house, Officer Weber saw another man, Josue Arellano, urinating on the sidewalk. The officer explained his presence and advised Josue that he should not be urinating in public. Josue Arellano began to argue with the officer and refused to identify himself verbally or with written documentation. Josue was later joined by his brother, Joaquin, and both brothers continued to act aggressively with the officer. When Josue tried to go into the house, the officer physically detained him and Joaquin interfered by pulling his brother away. Other officers arrived to assist and were able to separate the brothers and get them detained. During this time, Joaquin was exhibiting signs of intoxication. A DUI investigation was conducted and a breath test showed Joaquin Arellano's blood alcohol level to be .23/ .21.

After accepting the guilty verdicts, the Honorable Donald E. Shaver placed both defendants on 3 years informal probation and ordered them to pay specified fines. Josue Arellano was sentenced to 30 days in the county jail and Joaquin Arellano was sentenced to 45 days in the county jail.

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