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PRESS RELEASE

For Immediate Release

Date: February 8th, 2007
Re: Trifoglio manslaughter conviction
Court # 1098326

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FOR IMMEDIATE RELEASE – Thursday February 8, 2007

STANISLAUS COUNTY DISTRICT ATTORNEY BIRGIT FLADAGER ANNOUNCED TODAY that defendant Edward Trifoglio was convicted of voluntary manslaughter on Monday, February 5th in Department 2 before Judge Silveira. Deputy District Attorney Doug Fontan prosecuted the case on behalf of the People.

Trifoglio and co-defendant Denise Cannistraci had been charged in the shooting death of Robbie Martin of Modesto. A criminal complaint alleged that Trifoglio shot Martin after an argument. Cannistraci lived with Trifoglio and allegedly heard an argument between the two, the sound of a gunshot, and then saw Martin's body. She later helped Trifoglio bury the body in the forest outside of Long Barn. Later, hoping to avoid prosecution on drug charges, Cannistraci told police of the murder and led them to the burial site outside Long Barn on September 15th, 2005.

While the case was moving towards trial, it became apparent that there were no independent witnesses to the shooting. Even though Cannistraci agreed to testify against Trifoglio, her drug use and other pending cases made her credibility as a witness a major issue. Other evidentiary problems also came to light that made it more difficult to convict Trifoglio of murder and ultimately led to this disposition.

In resolving the case, Trifoglio pleaded guilty to having killed Martin by committing voluntary manslaughter for an agreed upon prison term of eleven years. He also admitted using a firearm at the time, which added ten years to his prison time. Trifoglio will be formally sentenced on March 7th, 2007 to a total prison term of 21 years. In return, four other open cases against him will be dismissed at the sentencing hearing. He will be eligible for parole after serving at least 85% of his sentence in custody.

Cannistraci will be sentenced on February 23rd, 2007. She pleaded guilty to being an accessory to murder and will receive one year in local jail, be placed on three years of informal probation

and agreed to enter into a residential drug treatment program approved by the probation department.

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