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PRESS RELEASE

For Immediate Release

Date: September 1, 2009
Re: People v. Manuel Nicholas Rivera
Conviction for Possession of
Methamphetamine

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Manuel Nicholas Rivera, age 47, of Riverbank, was convicted on September 1, 2009 of possession of methamphetamine following a court trial. The court also found true that Rivera had previously served a prior prison commitment for felony petty theft with prior theft convictions. Additionally, Rivera pled guilty to possession of methamphetamine for sale in another case. Deputy District Attorney Abel C.K. Hung prosecuted the case for the People.

On June 29, 2008, Rivera was a passenger in a vehicle that was stopped by an officer of the Oakdale Police Department for a traffic violation. During the traffic stop, it was discovered that Rivera was on formal probation with terms that he was searchable for narcotics and related paraphernalia. Just as the search commenced, Rivera tried to run away from the police officers. During the chase, which covered approximately one city block, the officers saw Rivera make a throwing motion with one of his hands towards the curb line of the street. After Rivera was caught and secured, officers went back to the same area and observed two plastic bags containing methamphetamine near the curb.

On November 1, 2008, Rivera was seen leaving a residence by a Stanislaus County Sheriff's deputy. The deputy had prior knowledge that Rivera was on active probation with terms that he was searchable for narcotics and related paraphernalia. Intending to contact him, the deputy pulled his patrol vehicle in front of the parked vehicle that Rivera was walking towards. Rivera was out of the deputy's view for a few seconds and it appeared to the deputy that Rivera was trying to conceal something near the rear of the vehicle. After Rivera was contacted, the deputy walked to the rear of the parked vehicle and found two plastic bags on the ground. One of the bags contained methamphetamine. During the arrest and booking procedure, Rivera's cell phone rang. A Sheriff's deputy answered the phone call and acted in an undercover capacity, posing as Rivera's friend. The deputy took an order for \$20 worth of methamphetamine from the caller and set up a meeting for the drug transaction. The caller was eventually arrested by the deputy.

Upon receiving the verdict and the entry of the no contest plea, the Honorable John G. Whiteside ordered Rivera remanded to the custody of the Stanislaus County Sheriff's Department. Sentencing is scheduled for September 30, 2009 in Department 3. Rivera faces a maximum sentence of 4 years 8 months in state prison for both cases.

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