



ON THE DOCKET

April 14th, 2008

A publication of the Stanislaus County District Attorney's Office

TRIALS IN PROGRESS THE WEEK OF APRIL 14TH, 2008

DEPARTMENT 7

JUDGE SHAVER

#1102574 and #1102019 Defendants Pablo Lopez (#1102574) and Daniel Joseph Martinez (#1102019). Jury trial started April 8th in Department 7 before Judge Shaver on the felony charges of Murder, Attempted Murder, and Participation in a Street Gang.

DEPARTMENT 8

JUDGE CORDOVA

#1210844 Defendant Dwayne Jordan. Set for jury trial April 8th in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI), Being Under the Influence of a Controlled Substance, and Possession of a Controlled Substance without a Prescription. This case is trailing to April 16th.

DEPARTMENT 9

JUDGE STEFFEN

#1215177 Defendant Albert Levesque. Set for jury trial April 7th in Department 9 before Judge Steffen on the misdemeanor charges of Hit and Run and Giving False Information to a Peace Officer. This case is trailing to April 14th.

CASES TENTATIVELY SET FOR TRIAL THE WEEK OF APRIL 14TH, 2008

DEPARTMENT 2

JUDGE SILVEIRA

#1240817 Defendants Mia Belen Lopez, Raul Salamaca, and Miguel Salamanca. Set for court trial April 14th in Department 2 before Judge Silveira on the misdemeanor charge of Possession of an Open Container in a Public Place.

#1236471 Defendant Jeremy James Fernandez. Set for jury trial April 15th in Department 2 before Judge Silveira on the misdemeanor charge of Domestic Battery.

#1236425 Defendant Minoru James Omura. Set for jury trial April 15th in Department 2 before Judge Silveira on the misdemeanor charge of Domestic Battery.

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DEPARTMENT 3

JUDGE WHITESIDE

#**1232623** Defendant Vickie Marie Sanchez. Set for jury trial April 15th in Department 3 before Judge Whiteside on the felony charge of Receiving Stolen Property.

#**1228266** Defendant Wayne Curtis Walker. Set for jury trial April 15th in Department 3 before Judge Whiteside on the felony charge of Possession of Methamphetamine.

#**1234287** Defendant Enrique Gutierrez. Set for jury trial April 15th in Department 3 before Judge Whiteside on the misdemeanor charges of Reckless Driving and Failure to Provide Proof of Vehicle Insurance.

DEPARTMENT 4

JUDGE JOHNSON

#**1236165** Defendant Donna Marie Leveira. Set for court trial April 14th in Department 4 before Judge Johnson on the misdemeanor charge of Driving on a Suspended License.

#**1240755** Defendant Lester Louis Jones. Set for jury trial April 15th in Department 4 before Judge Johnson on the felony charge of Assault with Intent to Commit Rape.

DEPARTMENT 5

JUDGE ZEFF

#**1234104** Defendant Wendell William Corsaut. Set for jury trial April 14th in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI) and Driving on a Suspended License.

#**1235910** Defendant Coby Lynn Grubeck. Set for jury trial April 14th in Department 5 before Judge Zeff on the misdemeanor charge of Domestic Battery.

#**1236122** Defendant Damon Donte Keene. Set for jury trial April 14th in Department 5 before Judge Zeff on the misdemeanor charges of Resisting Arrest and Disturbing the Peace.

#**1221543** Defendant Enrique Ochoa Virgen. Set for jury trial April 14th in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI).

DEPARTMENT 6

JUDGE ASHLEY

No criminal jury trials scheduled.

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DEPARTMENT 7

JUDGE SHAVER

#**1236140** Defendant Patricia Mae Herbert. Set for jury trial April 15th in Department 7 before Judge Shaver on the misdemeanor charge of Domestic Violence.

#**1234318** Defendant Oscar Acosta Mendoza. Set for jury trial April 15th in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI).

DEPARTMENT 8

JUDGE CORDOVA

#**1219193** Defendant Kenneth Jefferson Burns. Set for jury trial April 15th in Department 8 before Judge Cordova on the felony charges of Committing a Lewd Act on a Child Under the Age of 14, Committing a Lewd Act on a Child of 14 or 15 Years and the Defendant is Over 10 Years Older than the Child, and Incest.

DEPARTMENT 9

JUDGE STEFFEN

#**1072252** Defendant Israel Garibai Covarrubias. Set for jury trial April 14th in Department 9 before Judge Steffen on the felony charge of Murder.

DEPARTMENT 11

JUDGE SALTER

DISPOSITION OF CASES SET FOR TRIAL/PRETRIAL **THE WEEK OF APRIL 7th, 2008**

DEPARTMENT 2

JUDGE SILVEIRA

#**1242983** Defendant Charles Thomas Irelan. Set for jury trial April 8th in Department 2 before Judge Silveira on the misdemeanor charges of Battery and Resisting Arrest. The trial date was vacated after the Court granted the defendant's request to retain a new attorney. A new pretrial hearing is scheduled for April 15th in Department 2.

#**1237585** Defendant Sara Faith Averett. Set for jury trial April 8th in Department 2 before Judge Silveira on the misdemeanor charge of Resisting Arrest. The trial date was vacated after the defendant failed to appear at the pretrial hearing.

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#1236944 Defendant Rojelio Castillo. Set for jury trial April 8th in Department 2 before Judge Silveira on the misdemeanor charge of Battery. The trial date was vacated after the Court granted the People's motion to dismiss the case in the interest of justice.

#1238397 Defendant Samantha Elizabeth Hewitt. Set for jury trial April 8th in Department 2 before Judge Silveira on the misdemeanor charge of Domestic Violence. The trial date was vacated after the Court granted the People's motion to dismiss the case for insufficient evidence because the victim could not be served to testify.

#1237000 Defendant Justin Kelly Leatherman. Set for jury trial April 15th in Department 2 before Judge Silveira on the misdemeanor charges of Carrying a Loaded Firearm and Carrying a Concealed Firearm. The trial date was vacated due to an ongoing appeal regarding suppression of evidence. The next hearing is scheduled for April 23rd for the defendant to appear (as he was absent for the pretrial) and have a new hearing date set after the date of the appeal.

#1236162 Defendant Jora Bete Abdesheve. After a 3-day jury trial in Department 2 before Judge Silveira on the misdemeanor charge of Battery, the jury found the defendant not guilty.

#1235157 Defendant Fernando Ernesto Servin. Set for jury trial April 15th in Department 2 before Judge Silveira on the felony charge of Felon in Possession of a Firearm. The trial date was vacated after the defendant failed to appear for the pretrial hearing. A hearing to reset the jury trial is scheduled for April 21st in Department 2.

DEPARTMENT 3

JUDGE WHITESIDE

#1225702 Defendant Rhonda Rene Silva. Set for jury trial April 15th in Department 3 before Judge Whiteside on the felony charge of Possession of Methamphetamine and the misdemeanor charge of Possession of Drug Paraphernalia. The trial date was vacated after the defendant failed to appear at a pretrial hearing. A new pretrial is scheduled for April 14th in Department 3.

#1232805 Defendant Jesus Ramirez. Set for jury trial April 8th in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the defendant pled no contest, was placed on 3 years informal probation, ordered to pay specified fines, attend a Level I alcohol counseling class and sentenced to 48 hours in the county jail.

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#1236758 Defendant Bashir Ahmad Latify. Set for jury trial April 8th in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI), with one prior DUI conviction, Being Under the Influence of a Stimulant, and Possession of Less than One Ounce of Marijuana in Vehicle. The trial date was vacated after the defendant pled guilty to DUI and Being Under the Influence of Marijuana, admitted the prior DUI conviction, was placed on 3 years informal probation, ordered to pay specified fines, attend a Level II alcohol counseling program, and sentenced to 100 days in the county jail.

#1233312 Defendant Gerard George Flores. Set for jury trial April 8th in Department 3 before Judge Whiteside on the misdemeanor charge of Domestic Violence. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence.

DEPARTMENT 4

JUDGE JOHNSON

#1236276 Defendant Elsworth Earl McColey. Set for jury trial April 8th in Department 4 before Judge Johnson on the misdemeanor charge of Domestic Battery. The trial date was vacated after the defendant pled guilty as charged, was placed on 36 months informal probation, ordered to pay specified fines and sentenced to 8 days in the county jail.

#1228357 Defendant Chauncey Leigh Besaw. After a 2-day trial beginning April 10th in Department 4 before Judge Johnson on the misdemeanor charges of Driving Under the Influence (DUI) and Driving Without a License, the jury was unable to reach a verdict. A hearing is scheduled for April 18th in Department 4 to set a new jury trial.

DEPARTMENT 5

JUDGE ZEFF

#1229149 Defendant Michael William Morris. Set for jury trial April 7th in Department 5 before Judge Zeff on the misdemeanor charge of Domestic Violence. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence.

#1242671 Defendant Gabriel Richard Bara. Set for jury trial April 7th in Department 5 before Judge Zeff on the misdemeanor charge of Domestic Battery. The trial date was vacated after the Court granted the People's motion to dismiss the case due to lack of a complaining witness.

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#1081317 Defendant Alex Gabriel Rodriguez. Set for jury trial April 14th in Department 5 before Judge Zeff on the felony charges of Attempted Murder, Assault with a Deadly Weapon, Evading a Peace Officer, and Burglary. The trial date was vacated after the Court granted the defense motion to substitute attorneys. A hearing to reset the jury trial is scheduled for April 24th in Department 5.

#1241788 Defendant Felipe Martinez. After a 2-day jury trial that began April 9th in Department 5 before Judge Zeff on the misdemeanor charge of Domestic Violence, the jury found the defendant guilty. Sentencing is scheduled for April 15th in Department 5. Deputy District Attorney Graham Lopez prosecuted the case for the People.

#1232265 Defendant David Benjamin Hill. Set for jury trial April 21st in Department 5 before Judge Zeff on the felony charge of Possession of Methamphetamine. The trial date was vacated after the Court granted the defense motion to continue the case due to a scheduling conflict. The jury trial is rescheduled for June 24th in Department 5.

#1231228 Defendant Raymond Andrew Hernandez. Set for jury trial April 21st in Department 5 before Judge Zeff on the felony charge of Forgery. The trial date was vacated after the Court granted a joint motion to continue the case. A hearing to reset the jury trial is scheduled for May 14th in Department 5.

#1225194 Defendant Artemio Barrera. Set for jury trial April 14th in Department 5 before Judge Zeff on the felony charge of Possession of Ammunition by a Person Prohibited from Possessing a Firearm. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence.

DEPARTMENT 6

JUDGE ASHLEY

#1210336, #1212426, #1108399, #1098637 Defendant Peter Arrellano. Set for jury trial April 21st in Department 6 before Judge Ashley on multiple felony charges of Second Degree Burglary. The trial date was vacated after the defendant pled guilty to three counts of Second Degree Burglary and was sentenced to 6 years and 8 months in state prison. Deputy District Attorney Wendell Emerson prosecuted the case for the People.

#1225195 Defendant Seth Charles Johnson. Set for jury trial April 7th in Department 6 before Judge Ashley on the felony charges of Assault with a Deadly Weapon and Preventing or Dissuading a Victim/Witness from Giving Testimony. The trial date was vacated in order to have the defendant examined for mental competency by a psychologist. The next hearing is scheduled for April 21st in Department 6 for a hearing on the doctor's report.

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#1234136 Defendants James Darryl Burns, Leroy Wayne Cole, Kenneth Haven Hansen, Kevin Gene Washburn, and Charles James Yates. Set for jury trial April 7th in Department 6 before Judge Ashley on the misdemeanor charge of Trespassing. The trial date was vacated after the Court granted defense motions to continue the case due to scheduling conflicts. The jury trial is rescheduled for July 7th in Department 6.

#1227561 Defendant Susie Garza Tobar. Set for jury trial April 14th in Department 6 before Judge Ashley on the felony charge of Assault with a Deadly Weapon. The trial date was vacated after the Court granted the defense motion to continue the case due to an ongoing jury trial and the fact that the defendant has a new felony case. A hearing to reset the jury trial is scheduled for April 15th in Department 6.

#1229268 Defendant Neikko Williams. Set for jury trial April 7th in Department 6 before Judge Ashley on the felony charges of Second Degree Burglary and Petty Theft with Prior Theft Convictions. The trial date was vacated after the Court granted the defense motion to continue the case because the defense attorney is in an ongoing jury trial in another department. A hearing to reset the jury trial is scheduled for April 14th in Department 6.

#1104272 Defendant Armando Angulo Medina. Set for jury trial April 7th in Department 6 before Judge Ashley on the felony charges of Transportation of Cocaine, Possession of Cocaine for Sale, and Possession of Cocaine. The trial date was vacated after the Court granted the People's request to continue the case because the prosecuting attorney was in an ongoing trial. A hearing to reset the jury trial is scheduled for April 22nd in Department 6.

DEPARTMENT 7

JUDGE SHAVER

#1106753 Defendant Fidel Rodriguez Barriga. Set for jury trial April 8th in Department 7 before Judge Shaver on the misdemeanor charge of Hit and Run. The trial date was vacated after the Court granted the defense motion to continue the case due to discovery issues. The jury trial is rescheduled for May 27th in Department 7.

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#1075545 Defendant Jeffrey Rush Price. Set for jury trial April 8th in Department 7 before Judge Shaver on the felony charges of Vandalism and Destruction of Prison or Jail Property, having one felony prior conviction for which the defendant served a commitment to state prison, and having two prior felony convictions which fall under California's "Three Strikes Law". The trial date was vacated after the Court granted the People's motion to dismiss the case in the interest of justice in light of the fact that the defendant was convicted of Murder with prior convictions that fall under California's "Three Strikes Law" in Case #1074210 on October 2, 2007.

#1226941 Defendant Jeff Corpuz Morena. Set for jury trial April 8th in Department 7 before Judge Shaver on the misdemeanor charge of Domestic Battery. The trial date was vacated after the Court granted the People's motion to continue the case due to key witnesses being unavailable. A new pretrial is scheduled for April 25th in Department 7.

#1229624 Defendant Jada Martin. Set for jury trial April 8th in Department 7 before Judge Shaver on the misdemeanor charge of Battery. The trial date was vacated after the defendant pled no contest to the lesser related infraction of Fighting in Public, was placed on 36 months informal probation and ordered to pay specified fines.

#1220918 Defendant Ray Gutierrez. Set for jury trial April 15th in Department 7 before Judge Shaver on the misdemeanor charges of Domestic Battery and Resisting Arrest. The trial date was vacated after the defendant failed to appear at the pretrial hearing.

#12428626 Brent Allen Watson. After a jury trial held April 11th in Department 7 before Judge Shaver on the misdemeanor charge of Domestic Battery, the jury found the defendant not guilty.

DEPARTMENT 8

JUDGE CORDOVA

#1226240 Defendant Kathy Bouthavong. Set for jury trial April 8th in Department 8 before Judge Cordova on the felony charges of Second Degree Burglary and Grand Theft. The trial date was vacated after the Court granted the defense motion to reduce the case to a misdemeanor. The Court subsequently granted a joint motion to continue the case for settlement. A pretrial hearing is scheduled for April 30th in Department 8.

#1233522 Defendant Matthew Joseph Garcia. Set for jury trial April 8th in Department 8 before Judge Cordova on the misdemeanor charge of Domestic Violence. The trial date was vacated after the defendant pled no contest, was placed on 3 years informal probation, ordered to attend 52 weeks of domestic violence counseling, pay specified fines, and sentenced to 30 days in the county jail.

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#1229486 Defendant Brian Alan Chormicle. Set for jury trial April 15th in Department 8 before Judge Cordova on the misdemeanor charges of Carrying a Concealed Firearm and Carrying a Loaded Firearm. The trial date was vacated after the defendant pled no contest, was placed on 3 years informal probation, ordered to pay specified fines and attend mental health counseling.

#1229493 Defendant Patricia Ann Brown. Set for jury trial April 1st in Department 8 before Judge Cordova on the felony charges of Assault with a Deadly Weapon, and False Imprisonment. The trial date was vacated after the defendant pled guilty as charged. The matter was referred to the Probation Department for their investigation and report. Sentencing is scheduled for June 9th in Department 8.

#1232732 Defendant Dominic Joseph Taylor. Set for jury trial April 15th in Department 7 before Judge Shaver on the misdemeanor charge of Domestic Battery. The trial date was vacated after a hearing in Department 8 before Judge Cordova where the defendant pled guilty as charged, was ordered to pay specified fines and serve 40 hours of community service.

#1231383 Defendant Richard Allen Medeiros. Set for jury trial June 3rd in Department 8 before Judge Cordova on the misdemeanor charges of Carrying a Concealed Firearm and Reckless Driving. The trial date was vacated after the defendant pled guilty to Carrying a Concealed Firearm, was placed on 3 years informal probation and sentenced to 2 days in the county jail.

DEPARTMENT 9

JUDGE STEFFEN

#1103752 Defendants Oscar Eulises Espinoza and Michael Joseph Machado. Set for jury trial April 7th in Department 9 before Judge Steffen on the felony charge of Possession of Methamphetamine for Sale (Espinoza) and Sale of Methamphetamine (Machado). The trial date was vacated by the Court due to an ongoing trial in Department 9. A hearing to reset the jury trial is scheduled for April 18th in Department 9.

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#1209247 Defendant Angela Dale Piazza aka Morris and Michael Joseph Piazza. After seven days of jury proceedings beginning April 1st in Department 9 before Judge Steffen on the felony charges of Manufacturing Methamphetamine, Possession of Ephedrine or Pseudoephedrine with Intent to Manufacture Methamphetamine, and Possession of Methamphetamine, the trial date was vacated after Defendant Michael Piazza pled guilty to Possession of Precursors with Intent to Manufacture Methamphetamine and was sentenced to 4 years in state prison which was suspended. The defendant was placed on 3 years felony probation and ordered to serve 730 days in the county jail. Defendant Angela Piazza aka Morris pled guilty to Possession of Precursors with Intent to Manufacture Methamphetamine and Possession of Methamphetamine for Sale. She was sentenced to 4 years and 8 months in state prison. Deputy District Attorney Abel Hung prosecuted the case for the People.

#1212777 Defendant Jose Rodriguez. Set for jury trial March 17th in Department 9 before Judge Steffen on the misdemeanor charges of Driving Under the Influence (DUI). This case was trailing to April 4th in Department 9. The trial date was vacated after the Court granted the defense motion to continue the case for further investigation. A hearing to reset the jury trial is scheduled for April 25th in Department 9.

DEPARTMENT 11

JUDGE SALTER

#1229367 Defendant Rene Herrera Lopez. Set for jury trial April 14th in Department 11 before Judge Salter on the misdemeanor charges of Driving on a Suspended License and Resisting Arrest. The trial date was vacated after the Court granted the People's motion to dismiss the case in the interest of justice in light of defendant's plea to the felony charge of Felon in Possession of a Firearm in Case #1243149 where he was placed on 3 years probation and sentenced to 180 days in the county jail.

#1225450 Defendant Cleveland Ray Williams. Set for jury trial April 14th in Department 11 before Judge Salter on the felony charge of Domestic Violence. The trial date was vacated after the Court granted the defense motion to continue the case because the defense attorney is in an ongoing trial. A hearing to reset the jury trial is scheduled for May 1st in Department 11.

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#1220742 Defendant Greg Jewell. Set for jury trial May 12th in Department 11 before Judge Salter on the felony charges of Aggravated Mayhem and Assault With a Firearm, with enhancements charging Discharging a Firearm, Use of a Firearm and Infliction of Great Bodily Injury. The trial date was vacated after the defendant pled guilty to Assault With a Firearm and admitted Use of a Firearm and Infliction of Great Bodily Injury. The defendant was placed on 3 years formal probation, ordered to pay specified fines and sentenced to 180 days in the county jail.

#1104921 Defendant John Charles Dominguez. After a 3-week jury trial beginning March 17th in Department 11 before Judge Salter on the felony charge of Murder, the jury found the defendant guilty of Second Degree Murder with the use of a deadly weapon. Sentencing is scheduled for May 19th in Department 11. Deputy District Attorney Wendell Emerson prosecuted the case for the People.

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