



ON THE DOCKET

September 2nd, 2008

A publication of the Stanislaus County District Attorney's Office

TRIALS IN PROGRESS THE WEEK OF SEPTEMBER 2ND, 2008

DEPARTMENT 3

JUDGE STONE

#1232305 Defendant Michael John Cimoli. Jury trial began August 27th in Department 3 before Judge Stone on the felony charge of Committing a Lewd Act on a Child of 14 or 15 Years of Age and Defendant at Least Ten Years Older than Child.

DEPARTMENT 7

JUDGE SHAVER

#1236339 Defendant Timothy Philip Hallinan. Jury trial began August 28th in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI) and Possession of a Controlled Substance Without Prescription.

CASES TENTATIVELY SET FOR TRIAL THE WEEK OF SEPTEMBER 2ND, 2008

DEPARTMENT 1

JUDGE SALTER

#1243891 Defendant Luther Donele Gilmore. Set for jury trial September 2nd in Department 1 before Judge Salter on the felony charge of Sale of Cocaine.

DEPARTMENT 2

JUDGE SILVEIRA

No criminal jury trial scheduled.

DEPARTMENT 3

JUDGE WHITESIDE

#1246425 Defendant Christopher Allan Smith. Set for jury trial September 2nd in Department 3 before Judge Whiteside on the felony charges of Possession of a Dangerous Weapon and Domestic Battery.

DEPARTMENT 4

JUDGE JOHNSON

#1241940 Defendant Michael Lamar Edmond. Set for jury trial September 2nd in Department 4 before Judge Johnson on the misdemeanor charges of Driving Under the Influence (DUI).

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#1245501 Defendant Jennifer Maravilla. Set for jury trial September 4th in Department 4 before Judge Johnson on the misdemeanor charge of Domestic Battery.

DEPARTMENT 5

JUDGE ZEFF

#1239146 Defendant Lyhous Horn. Set for jury trial September 3rd in Department 5 before Judge Zeff on the felony charges of Causing Injury While Driving Under the Influence (DUI).

#1221063 Defendant Jason Paul Jones. Set for jury trial September 3rd in Department 5 before Judge Zeff on the felony charge of Possession of a Dangerous Weapon.

#1233942 Defendant Timothy Leonard Lovalo. Set for jury trial September 3rd in Department 5 before Judge Zeff on the misdemeanor charge of Domestic Violence.

#1248048 Defendant Marquise Denise Martin. Set for jury trial September 3rd in Department 5 before Judge Zeff on the misdemeanor charge of Resisting Arrest.

DEPARTMENT 6

JUDGE ASHLEY

No criminal jury trials scheduled.

DEPARTMENT 7

JUDGE SHAVER

#1234938 Defendant Mark David Woodman. Set for jury trial September 2nd in Department 7 before Judge Shaver on the felony charge of Domestic Violence.

#1239682 Defendant Robert Edward Akhnana. Set for jury trial September 2nd in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI).

#1224498 Defendant Randy Cerny. Set for jury trial September 2nd in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI).

#1241663 Defendant Pawan Jot Grewel. Set for jury trial September 2nd in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI), Driving on a Suspended License, and Driving Without a Valid Driver's License.

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#**1239624** Defendant Kristin Leigh Rose. Set for jury trial September 2nd in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI).

DEPARTMENT 8

JUDGE CORDOVA

No criminal jury trials scheduled.

DEPARTMENT 9

JUDGE STEFFEN

DISPOSITION OF CASES SET FOR TRIAL/PRETRIAL **THE WEEK OF AUGUST 25TH, 2008**

DEPARTMENT 1

JUDGE SALTER

#**1243459** Defendant Byron O.J. Reed and James Edward Floyd. Set for jury trial September 3rd in Department 1 before Judge Salter on the felony charge of Receiving Stolen Property. The trial date was vacated after the Court granted the defense motion to continue the case when the attorney assigned became unavailable. The jury trial is rescheduled for September 23rd in Department 1.

DEPARTMENT 2

JUDGE SILVEIRA

#**1233960** Defendant Fredy Alejandro Duarte Reyes. Set for jury trial August 26th in Department 2 before Judge Silveira on the misdemeanor charges of Domestic Battery and Damaging a Wireless Communication Device. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence because the victim could not be located to testify.

#**1243507** Defendant Randy Troy Bartlett. Set for jury trial August 26th in Department 2 before Judge Silveira on the misdemeanor charges of Domestic Violence and Battery. The trial date was vacated after the Court granted the defense motion to dismiss the case due to insufficient evidence.

#**1232694** Defendant Julee Ann Freisheim. Set for jury trial August 26th in Department 2 before Judge Silveira on the misdemeanor charges of Child Endangerment and Battery. The trial date was vacated after the defendant pled no contest to Fighting in Public, was placed on 36 months informal probation, ordered to pay specified fines, attend parenting classes and sentenced to 2 days in the county jail.

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DEPARTMENT 3

JUDGE STONE

#1246016 Defendant Nicholas Martinez. Set for jury trial September 9th in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI), Driving on a Suspended License and Reckless Driving. The trial date was vacated after a hearing in Department 3 before Judge Stone when the defendant pled no contest to Alcohol Related Reckless Driving, was placed on 3 years informal probation, ordered to pay specified fines, and attend Level I alcohol counseling.

#1238516 Defendant Charles Ryan Delp. Set for jury trial August 26th in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after a hearing in Department 3 before Judge Stone when the Court continued the case due to a trailing felony case. The jury trial is rescheduled for September 22nd in Department 3.

#1244909 Defendant Edward Craig Cruse. Set for jury trial August 26th in Department 3 before Judge Whiteside on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after a hearing in Department 3 before Judge Stone after the Court granted the People's motion to continue the case for further investigation. A hearing to reset the jury trial is scheduled for September 22nd in Department 3.

#1244817 Defendant Morris Eugene Smith. Set for jury trial September 2nd in Department 3 before Judge Whiteside on the misdemeanor charge of Indecent Exposure. The trial date was vacated after a hearing in Department 3 before Judge Stone when the defendant pled guilty, was placed on 3 years informal probation, ordered to register as a sex offender and sentenced to 90 days in the county jail.

#1246502 Defendant Kulwant S. Kang. Set for jury trial September 2nd in Department 3 before Judge Whiteside on the misdemeanor charges of Selling/Furnishing Alcohol to Person Under 21 Years of Age. The trial date was vacated after the defendant pled guilty to the infraction of Having an Open Container in a Public Place, was placed on 1 year informal probation, ordered to pay specified fines and serve 20 hours community service.

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DEPARTMENT 4

JUDGE JOHNSON

#1235429 Defendant Randy Thomas. Set for jury trial October 7th in Department 4 before Judge Johnson on the misdemeanor charge of Possession of Less than 28.5 Grams of Marijuana and the infraction of Failing to Use a Designated Lane. The trial date was vacated after the Court granted the People's motion to continue the case because a key witness would be unavailable. A new pretrial hearing is scheduled for October 6th in Department 4.

#1245099 Defendant Johnny Del Rio. Set for jury trial August 26th in Department 4 before Judge Johnson on the felony charges of Assault With a Deadly Weapon and Vandalism. The trial date was vacated after the defendant pled guilty to Vandalism. Sentencing is scheduled for October 8th in Department 3.

#1218289 Defendant Murira Cervantez. Set for jury trial August 26th in Department 4 before Judge Johnson on the felony charge of Making, Passing or Possessing a Fictitious Bill, Note, or Check. The trial date was vacated after the Court granted the defense motion to continue the case based on new evidence. A hearing to reset the jury trial is scheduled for October 7th in Department 4.

DEPARTMENT 5

JUDGE ZEFF

#1226051 Defendant Jose Luis Meza. Set for jury trial August 25th in Department 5 before Judge Zeff on the misdemeanor charges of Driving Under the Influence (DUI). The trial date was vacated after the Court granted the defense motion to continue the case to prepare a Boykin-Tahl form. A new pretrial is scheduled for August 28th in Department 5.

#1230622 Defendant Erick Burse. Set for jury trial August 25th in Department 5 before Judge Zeff on the misdemeanor charge of Domestic Violence. The trial date was vacated after the Court granted the defense motion to continue the case because the defense attorney would be unavailable. A new pretrial hearing is scheduled for September 3rd in Department 5.

#1234499 Defendant Jennifer Lynne Tavener. Set for jury trial August 25th in Department 5 before Judge Zeff on the felony charge of Attempted Possession of Methamphetamine. The trial date was vacated after a joint agreement was reached to continue the case due to scheduling conflicts on the part of all parties. A hearing to reset the jury trial is scheduled for September 26th in Department 5.

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#1245907 Defendant Eric Wayne Black. Set for jury trial September 3rd in Department 5 before Judge Zeff on the felony charge of First Degree Burglary. The trial date was vacated after the Court granted the People's motion to dismiss the case due to insufficient evidence. A hearing was also held in Case #1245907 for felony First Degree Burglary to which the defendant pled guilty and was sentenced to 4 years in state prison. Deputy District Attorney Wendell Emerson prosecuted the case on behalf of the People.

#1236053 Defendant Samuel Ledford. Set for jury trial September 9th in Department 5 before Judge Zeff on the felony charges of Domestic Violence and Resisting or Deterring an Executive Officer. The trial date was vacated after the defendant pled guilty to both charges and was sentenced to 3 years and 8 months in state prison. The sentence was suspended and the defendant was ordered to serve 4 years formal probation, attend 52 weeks of domestic violence counseling, serve 40 hours community service and serve 365 days in the county jail.

#1242397 Defendant Francisco Morales Hernandez. Set for jury trial September 8th in Department 5 before Judge Zeff on the felony charge of Attempted Second Degree Burglary. The trial date was vacated after the defendant failed to appear for the pretrial hearing.

#1239751 and #1241798 Defendant Jacqueline Eileen Lucero. Set for jury trial September 3rd in Department 5 before Judge Zeff on the misdemeanor charges of Loitering (#1239751) and Creating a Public Nuisance (#1241798). The trial date was vacated after the defendant failed to appear at the pretrial hearing.

#1242071 Defendant Jason Paul Jones. After a four-day jury trial beginning August 25th in Department 5 before Judge Zeff on the felony charge of Receiving Stolen Property, having one prior felony conviction for which the defendant served a commitment to state prison, the jury found the defendant guilty of Receiving Stolen Property. The prior conviction was found true at a Court trial. Sentencing is scheduled for September 5th in Department 5. Deputy District Attorney John Baker prosecuted the case on behalf of the People.

DEPARTMENT 6

JUDGE ASHLEY

No cases to report.

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DEPARTMENT 7

JUDGE SHAVER

#1236733 Defendant Kamal Prasad Lal. Set for jury trial August 26th in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI) and Resisting Arrest. The trial date was vacated after the Court granted the defense motion to continue the case for further investigation. A new pretrial hearing is scheduled for September 15th in Department 7.

#1243378 Defendant Cesar Carrasco. Set for court trial August 25th in Department 7 before Judge Shaver on the misdemeanor charges of Sale of Alcoholic Beverage Between 2:00 AM and 6:00 AM and Permitting Consumption of Alcoholic Beverage on Premises Between 2:00 AM and 6:00 AM. The trial date was vacated after the Court granted the defense motion to continue the case due to witness issues. The court trial is rescheduled for September 8th in Department 7.

#1226800 Defendant Jose Lopez. Set for jury trial August 26th in Department 7 before Judge Shaver on the felony charge of Receiving or Buying a Stolen Vehicle. The trial date was vacated after the Court granted the defense motion to continue the case due to a conflict. The court appointed a new defense attorney and a hearing to reset the jury trial is scheduled for September 11th in Department 7.

#1238895 Defendant Natalie Isaac. Set for jury trial August 26th in Department 7 before Judge Shaver on the misdemeanor charges of Driving Under the Influence (DUI) and Being Under the Age of 21 and Driving While Having .05 Percent or More Blood Alcohol Concentration. The trial date was vacated after the defendant pled no contest to Alcohol Related Reckless Driving, was placed on 36months informal probation, ordered to pay specified fines and attend Level I alcohol counseling.

#1242756 Defendant Sabrina Pinheiro. After a two-day jury trial beginning August 26th in Department 7 before Judge Shaver on the felony charge of Petty Theft with Prior Theft Convictions, the jury found the defendant not guilty.

DEPARTMENT 8

JUDGE CORDOVA

#1234692 Defendant James Reinhardt. Set for jury trial August 26th in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI) and Driving on a Suspended License. The trial date was vacated after the defendant pled no contest to Driving on a Suspended license, was placed on 3 years informal probation and ordered to pay specified fines.

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#1244047 Defendant Erick John Vogel. Set for jury trial August 26th in Department 8 before Judge Cordova on the misdemeanor charges of Domestic Violence and False Imprisonment. The trial date was vacated after the defendant pled guilty to Domestic Battery, was placed on 3 years informal probation and sentenced to 6 days in the county jail.

#1241562 Defendant Rajindra Singh. Set for jury trial September 2nd in Department 8 before Judge Cordova on the misdemeanor charge of Violation of a Court Order and Failure to Appear After Release on Own Recognizance. The trial date was vacated after the defendant pled guilty to Violation of a Court Order, was placed on 3 years informal probation, ordered to pay specified fines and sentenced to 6 days in the county jail.

#1235265 Defendant Sarah Lynn Hernandez. Set for jury trial September 2nd in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI) and Driving Without a Valid Driver's License. The trial date was vacated after the Court granted the defense motion to continue the case to prepare a motion to suppress evidence. A hearing on that motion is scheduled for September 25th in Department 8.

#1226320 Defendant Kimberly Renee Adcock. Set for jury trial September 2nd in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI) and Being Under the Influence of a Controlled Substance. The trial date was vacated after the defendant pled no contest to DUI, was placed on 3 years informal probation, ordered to pay specified fines and sentenced to 48 hours in the county jail. The defendant also pled guilty to the misdemeanor charge of Violation of a Court Order in Case #1226320, was placed on 3 years informal probation, ordered to pay specified fines and sentenced to 5 days in the county jail.

#1237093 Defendant Robert Raymond Schuknecht. Set for jury trial August 25th in Department 5 before Judge Zeff on the felony charge of Assault With a Deadly Weapon Upon a Peace Officer and the misdemeanor charges of Trespassing and Resisting Arrest. The trial date was vacated after a hearing in Department 8 before Judge Cordova when the Court granted the defense motion to continue the case for further investigation. A hearing to reset the jury trial is scheduled for September 17th in Department 5.

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#1096189 Defendant Jaime Carranza Fernandez. After a two-day jury trial beginning August 28th in Department 8 before Judge Cordova on the misdemeanor charges of Driving Under the Influence (DUI), having two prior DUI convictions, and Possession of Marijuana by Driver, the jury found the defendant guilty of DUI. The defendant admitted the two prior DUI convictions and had previously pled no contest to the Possession of Marijuana by Driver charge. The defendant was placed on 3 years informal probation, ordered to pay specified fines, attend a Level II alcohol counseling program, was designated as a Habitual Transient Offender for 3 years, and sentenced to 120 days in the county jail. Deputy District Attorney Anthony Colacito prosecuted the case for the People.

DEPARTMENT 9

JUDGE STEFFEN

#1235400 Defendant Kyle Joseph Procoro Elze. Set for jury trial September 2nd in Department 9 before Judge Steffen on the felony charges of Auto Theft. The trial date was vacated after the defendant pled guilty, was placed on 3 years probation, ordered to pay specified fines and sentenced to 180 days in the county jail.

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