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NEWS RELEASE

For Immediate Release

Date: November 13, 2003

Re: People v. Armbrust

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MODESTO, CALIFORNIA – Stanislaus County District Attorney James Brazelton announced today that Wayne Scott Armbrust, 43, of Patterson, was convicted by a jury of violation of California Health and Safety Code section 13001, negligent burning, on November 5, 2003. Deputy District Attorney Shawn L. Barlow prosecuted the case for the People.

The case arose out of events which occurred on May 29, 2003, in Del Puerto Canyon, an unincorporated area 25 miles west of Patterson. At 11:30 a.m., Armbrust, who lives on property in Del Puerto Canyon, collected his household garbage in a bag and, in an effort to dispose of it, set the bag on fire. The temperature that morning was ninety degrees when Armbrust started the fire, humidity was very low, and the wind was erratic at five to thirty-five miles per hour. The fire quickly spread and soon blackened the surrounding dry grass, brush and trees. Though fire companies from Patterson, the California Department of Forestry, Stevens Creek, and Cupertino responded, the fire eventually burned 627 acres of Del Puerto Canyon and took four days to extinguish.

Patterson Fire Captain Steven Hall and California Department of Forestry Fire Captain Mark Mocettini testified to the weather conditions on that day and that burning under those conditions was not safe. After the jury returned a guilty verdict Judge Hurl Johnson placed Armbrust on 36 months probation and ordered him to pay a \$420.00 fine and perform 100 hours of community service. He further ordered Armbrust to pay full restitution for the cost of fighting the fire, estimated at more than \$500,000.