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PRESS RELEASE

For Immediate Release

Date: August 11, 2009
Re: Michael Simons-Conviction for
Shooting at a Vehicle, Being a Felon in
Possession of a Firearm, and
Being a Felon in Possession of
Ammunition

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Michael Simons was convicted after a week-long jury trial of Discharging a Firearm at an Occupied Vehicle, Being a Felon in Possession of a Firearm and Being a Felon in Possession of Ammunition. Deputy District Attorney John H. Baker prosecuted the case for the People.

On June 3, 2008, at approximately Briggsmore and Tully Roads, Simons began tailgating a vehicle and tried to cut off the driver on several different occasions. Simons drove ahead of the other vehicle and waited in the left hand turn lane at Briggsmore and Coffee Roads. As the vehicle proceeded through the intersection at Briggsmore and Coffee roads, Simons shot at the vehicle with a .44 magnum. The shot disabled the vehicle. The bullet fragmented as it struck the car. It missed the driver of the vehicle by approximately 15 inches. The vehicle was an undercover police vehicle and the driver was a Stanislaus County deputy sheriff. The deputy called police dispatch with a description of the shooter's car. Within about 30 minutes, the car was located in a driveway about two miles from the shooting. The house was surrounded by law enforcement. Simons was apprehended. Pursuant to a search warrant, Simons's home was searched and a loaded .44 magnum was found hidden between a mattress and a box spring.

The Honorable Thomas Zeff will hold a hearing on September 15th, 2009 to determine whether Simons was previously convicted of assault with a deadly weapon, a felony which falls under California's three strikes law, and thereafter sentence the defendant.

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