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DISTRICT ATTORNEY  
COUNTY OF MENDOCINO**

**Wednesday, December 31, 2014**

**RESULTS FOR JURY TRIALS PROSECUTED IN CALENDAR YEAR 2014**

**~ WEIGHTED JURY TRIAL CONVICTION RATE: 81% ~**

<u>Trial Date</u>	<u>Defendant</u>	<u>Prosecutor</u>	<u>Subject Matter</u>	<u>Verdict</u>
1/13/2014	Chris M. Federline	Boyd	M DUI	Hung Jury <sup>1</sup> 11 (G) to 1
1/27/2014	Xavier P. White	Boyd	M DUI	Guilty
2/10/2014	Ivan Sanchez	Cox	F ADW	Guilty
2/18/2014	Matthew G. Pietak	Abramson	M DUI w/ Priors	Guilty
2/24/2014	Richard H. Delapena	Larson	F Child Molest	Not Guilty
3/10/2014	Michael W. Sparks	Larson	F Soliciting Child	Guilty
3/17/2014	Young Soo Kim Kwang Ho Song	Madow	M Abalone M Abalone	Guilty Guilty
3/17/2014	Peter A. Richardson	Mills	M DUI	Hung Jury <sup>2</sup> 3 (G) to 9
4/01/2014	Homero Lopez	Mills	M Reckless Driving	Guilty
5/05/2014	Christopher Mulcahy	Eyster	F Forgery	Hung Jury <sup>3</sup> 10 (G) to 2
5/12/2014	Sally A. Frederick	Madow	M DUI	Guilty

<sup>1</sup> At the retrial held in June 2014, the defendant was found guilty of both charges. Thus, the original result is not counted one way or the other.

<sup>2</sup> At the retrial held in August 2014, the defendant was found guilty of both charges. Thus, the original result is not counted one way or the other.

<sup>3</sup> Defendant Christopher Mulcahy's retrial is scheduled for October 3, 2016.

<u>Trial Date</u>	<u>Defendant</u>	<u>Prosecutor</u>	<u>Subject Matter</u>	<u>Verdict</u>
5/12/2014	Mark M. Gabriel	McMenomey	F Felon w/ Firearm	Guilty
6/1/2014	Joan E. Rainville	Sequeira	F ADW - DUI	Guilty
6/1/2014	Jeffrey T. Wright	Madow	M Resisting Arrest	Guilty
6/9/2014	Christopher M. Federline	Madow	M DUI	Guilty
6/18/2014	Billy R. Doak, Jr	Davenport	F Mayhem	Hung Jury <sup>4</sup> 6-6 Split
6/22/2014	Tyler L. Elza	Mills	M Criminal Threats	Guilty
7/14/2014	Kathleen E. Woolsey	Hopkins	F Assault w/ Firearm	Not Guilty
8/4/2014	Clayton L. Krisik	Keane	M Meth: UTI	Guilty
8/5/2014	Ivan Sanchez	Stoen	F Attempted Murder	Hung Jury <sup>5</sup> 9 (G) to 3
8/18/2014	Bret A. Bengston	Hopkins	F Residential Burglary	Guilty
8/26/2014	Peter A. Richardson	Mills	M DUI w/ Two Priors	Guilty
9/8/2014	Jimmy L. Dykes	McMenomey	M Assault	Guilty
9/15/2014	Lorraine K. Hunter	Eyster	F MJ for Sale	Guilty
9/15/2014	Dung Tri Bui	Madow	M Abalone	Guilty
9/29/2014	Brandie R. Allen	Keane	M Resisting Arrest	Guilty
9/29/2014	Steven L. Munson	Mills	M Meth: Possession	Hung Jury <sup>6</sup> 10 (G) to 2
9/29/2014	Kenneth G. McCarty	Sympson	M DUI: Drugs	Hung Jury <sup>7</sup> 5 (G) to 7

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<sup>4</sup> On February 25, 2015, the day set for picking a jury for a third trial following two previous hung juries, defendant Doak instead admitted criminal liability for having falsely imprisoned the victim. The Court accepted the change of plea and sentenced the defendant to one year in the county jail. Accordingly, given the eventual result, the case is weighed as a win.

<sup>5</sup> On March 25, 2015, defendant Sanchez admitted criminal responsibility and sentenced on June 8, 2015 to nine (9) years state prison.

<sup>6</sup> After failing to appear for months, the defendant was arrested and plead guilty to a felony failure to appear in 2015, with an understanding that the facts of this case would be considered in the sentencing of the FTA case. With that understanding, this case was dismissed. Given the eventual result, this case is weighed as a win.

<sup>7</sup> On March 2, 2015, McCarty pled no contest to reckless driving causing bodily injury. Accordingly, given the eventual result, this case is weighed as a win.

<u>Trial Date</u>	<u>Defendant</u>	<u>Prosecutor</u>	<u>Subject Matter</u>	<u>Verdict</u>
10/6/2014	Thomas A. Gordon	Mills	M Meth: Possession	Hung Jury <sup>8</sup> 4 (G) to 8
10/20/2014	David San Diego, Jr.	Sympson	M DUI	Hung Jury <sup>9</sup> 10 (G) to 2
10/27/2014	Eleuterio Perez	Rosenfeld	M Child Cruelty	Not Guilty
11/3/2014	Peter A. Richardson	Eyster	F Reckless Evading	Guilty
11/17/2014	Heather R. Christiansen	Sympson	M Petty Theft	Guilty
11/17/2014	Luis A. Vargas	Norman	F DV w/ Injury	Hung Jury <sup>10</sup> 11 (G) to 1
12-8-2014	Oscar Alvarez-Carrillo	Hopkins	M Battery	Hung Jury <sup>11</sup> 8 (G) to 4
12-8-2014	Daniel AJ Shinney	Sympson	M DUI	Hung Jury <sup>12</sup> 6 (G) to 5 to 1

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<sup>8</sup> Following additional review, defendant Gordon's charges were dismissed on January 26, 2015. Accordingly, given the result, this case is weighed as a loss.

<sup>9</sup> On November 9, 2015, defendant SanDiego pled nolo contendere and sentenced on December 4, 2015 to 5 years summary probation.

<sup>10</sup> On July 22, 2015, defendant Vargas pled nolo contendere and was sentenced to 36 months Formal Probation.

<sup>11</sup> The jury acquitted the defendant on the felony charge of battery with serious bodily injury (broken jaw) and hung 8 to 4 for guilty on the misdemeanor battery count. An office decision was made on December 17, 2014 to not pursue a retrial on the single remaining misdemeanor count. On motion of the prosecutor, the case was dismissed. Accordingly, given the result, this case is weighed as a loss.

<sup>12</sup> Following additional review, defendant Shinney's charges were dismissed on April 3, 2015. Accordingly, given the result, this case is weighed as a loss.