

**C. DAVID EYSTER**  
DISTRICT ATTORNEY

**MIKE GENIELLA**  
PUBLIC INFORMATION

707-391-1019

geniellam@co.mendocino.ca.us



**COURTHOUSE**  
P.O. Box 1000  
Ukiah, CA 95482

**COAST OFFICE**  
700 S. Franklin St.  
Ft. Bragg, CA 95437

**OFFICE OF THE  
DISTRICT ATTORNEY  
COUNTY OF MENDOCINO**

**Tuesday, December 18, 2018**

**RESULTS FOR JURY TRIALS PROSECUTED IN CALENDAR YEAR 2018**

**~ WEIGHTED JURY TRIAL CONVICTION RATE: 87% ~**

<u><b>Trial Date</b></u>	<u><b>Defendant</b></u>	<u><b>Prosecutor</b></u>	<u><b>Subject Matter</b></u>	<u><b>Verdict</b></u>
01/02/2018	Cherri B. Roberts	Porter	M Resisting Arrest	Guilty
01/16/2018	Ryan J. Maxstadt	Eyster	F Attempted Murder	Guilty
01/16/2018	Beverly A. Sherman	Weems	M Petty Theft	Not Guilty
02/13/2018	Eric W. Mehtlan	Oakley	F Vandalism	Not Guilty <sup>1</sup>
02/20/2018	Leif C. Ibsen	Porter	M DUI - Marijuana	Guilty
02/26/2018	Edward J. Montigny	Porter	M DUI	Guilty
03/05/2018	Lacy M. Grisham	Weems	M DUI	Guilty
03/06/2018	Eric M. Lane	Stoen	F Abalone Conspiracy	Mistrial <sup>2</sup>
03/19/2018	Kent D. Gladden	Porter	F DUI w/ Priors	Guilty
03/26/2018	Troy A. Morgan	Weems	M DUI - Drugs	Guilty
04/02/2018	Jose Beltran Carrasco	Geddes	F Domestic Injury	Guilty
04/02/2018	Alex L. Deel	Weems	M Drug Possession	Guilty
04/09/2018	Cody L. Williams	Pearl	M DUI – Meth	Guilty

<sup>1</sup> While this defendant was found not guilty by jury of the vandalism, he plead no contest to resisting arrest, a misdemeanor, and also admitted violating terms of his parole, both outside the presence of the jury.

<sup>2</sup> This defendant was found guilty of taking an over limit and taking out of season, both misdemeanors, but the jury was hung on whether he was involved in a commercial conspiracy, an alternative count. On May 7, 2018, rather than participate in a retrial of the single count on which the jury had previously hung, the defendant entered no contest plea to the commercial conspiracy charge as a felony. Sentencing on all charges is now calendared for July 18, 2018 at the Ten Mile Court. This case is now weighed as a win.

## RESULTS FOR JURY TRIALS PROSECUTED IN CALENDAR YEAR 2018

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04/10/2018	Javier Alamazon Garcia	Porter	M DUI	Guilty
04/16/2018	Caleb D. Silver	Stoen	F Murder	Guilty
04/25/2018	Javier Vazquez Rivera	Geddes	M DUI	Mistrial <sup>3</sup>
04/30/2018	Paul C. Turner	Norman	F Felon w/ Ammo	Mistrial <sup>4</sup>
04/30/2018	Jamarhl R. Latimer	Porter	M DUI - Drugs	Mistrial <sup>5</sup>
05/07/2018	Steven P. Ryan	Eyster	F Voluntary Mansl.	Guilty <sup>6</sup>
05/08/2018	Charles W. Holmes	Geddes	F DUI -Drugs	Guilty
05/21/2018	John P. Wilson II	Geddes	M DUI – 3 <sup>rd</sup> Offense	Guilty <sup>7</sup>
05/23/2018	Devon J. Spencer	Stoen	M DUI – 3 <sup>rd</sup> Offense	Guilty
06/04/2018	Shannon K. Wilson	Pearl	M DUI – 2nd Offense	Mistrial <sup>8</sup>
06/04/2018	Miguel Gonzales	Oakley	F Meth For Sale	Guilty

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<sup>3</sup> On May 14, 2018, the defendant admitted criminal responsibility by entering a no contest plea to a misdemeanor reckless driving involving alcohol, a lesser included charge to the standard DUI. This case is now weighed as a draw.

<sup>4</sup> On Friday, May 11, 2018, the defendant elected to plead guilty to the felon in unlawful possession of ammunition count (the same count that the jury could not agree on) rather than participate in a retrial.. The change of plea included a stipulation of the parties that the defendant will receive a sentence of 24 months in state prison. This case is now weighed as a win.

<sup>5</sup> On June 8, 2018, the defendant admitted having violated his parole by driving under the influence of a drug. Based on that admission, the defendant was sentenced to 120 days in the county jail. With the defendant having received a greater punishment than what he would have received had he been convicted of the DUI, the District Attorney authorized dismissal of the DUI case in the interests of justice. This case is now weighed as a draw.

<sup>6</sup> While the prosecution was pursuing murder liability against defendant Ryan, any unlawful homicide conviction and unlawful personal use of a firearm finding that confronts a 63-year old defendant with up to 21 years in state prison (generally the remainder of his life) is weighed as a win.

<sup>7</sup> This defendant was convicted of a third offense DUI with a high blood alcohol special allegation. He was also convicted of driving on a suspended driver's license, said suspension due to prior DUI convictions. The defendant was found not guilty of recklessly evading a peace officer.

<sup>8</sup> On Monday, June 11, 2018, the defendant was back in custody and now charged with a separate violation of willfully failing to appear. The defendant plead no contest to driving a motor vehicle under the influence of alcohol and driving a motor vehicle with a blood alcohol .08 or greater, the two misdemeanor counts the prior jury could not unanimously decide. The defendant also admitted a prior conviction and that her blood alcohol was greater than .15. Evidence at trial was that the defendant's blood alcohol was .21/.22. Finally, the defendant admitted willfully failing to appear, another misdemeanor, for skipping out on the second day of her jury trial. Sentencing was continued to June 15<sup>th</sup> before Judge Faulder. This case is now weighed as a win.

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06/11/2018	John S. Rossavick	Pearl	M DUI	Guilty
06/18/2018	Joshua R. Ruoff	Welsh	F Murder – 1 <sup>st</sup> Degree	Guilty
06/18/2018	Michael R. Parker	Norman	F Drugs in Jail	Guilty
06/25/2018	Michael A. Barnes	Butzow	M Meth Use	Guilty
07/09/2018	Gustavo Zazueta	Pearl	M DUI	Guilty
07/23/2018	Sherri L. Luallin	Weems	M DUI	Guilty
07/23/2018	Zachary M. Barajas	Welsh	F Sex Offenses	Mistrial <sup>9</sup>
08/13/2018	Kevin L. Shaw	Norman	M Drug Paraphernalia	Guilty <sup>10</sup>
09/10/2018	Paul S. Golyer	Norman	F Assault w/ Knife	Guilty
09/11/2018	Garrick E. Hornlein	Stoen	M Trespassing	Guilty <sup>11</sup>
10/09/2018	James S. Forbess	Weems	M Restraining Order	Guilty
11/05/2018	Kenneth L. Addor	Porter	M DUI	Guilty
11/12/2018	Dulce S. Casillas Andrade	Weems	M Child Endangerment	Guilty
12/03/2018	Zachary M. Barajas	Trigg	F Rape	Mistrial <sup>12</sup>
12/03/2018	Oscar Alvarez Carrillo	McMenomey	F Murder – 1 <sup>st</sup>	Guilty
12/10/2018	Frank John Cabral	Guzman	F Burglary	Guilty
12/11/2018	David A. Rivas	Cisney	F Battery on C.O.	Not Guilty
12/17/2018	Levi Lamoureux	Geddes	F Felon w/ Ammo	Guilty

<sup>9</sup> Defendant Barajas was acquitted by jury of forcible rape against one victim, and acquitted of assault with the intent to commit rape involving a separate victim. The jury was “hung” 8 for guilt to 4 on sex offenses involving yet a third victim. A retrial on the hung counts is currently scheduled for December 3, 2018.

<sup>10</sup> Defendant Shaw was acquitted in this trial of the primary charge – domestic violence causing the infliction of a traumatic injury. As the defendant was found not guilty of the single felony count, the sentencing allegations alleging that the defendant has also suffered a prior Strike conviction and served two prior prison terms were dropped by operation of law. This result is now weighed as a loss.

<sup>11</sup> The main charge filed against the defendant as a felony violation of Penal Code section 29800(a), felon in unlawful possession of a firearm. After deliberating on the evidence presented by the prosecution, the jury was “hung” and a mistrial was declared. The jury split was announced at 2 for guilt to 10. Rather than set the matter for a new trial, the parties agreed to a compromise resolution. The defendant plead guilty to a misdemeanor violation of Penal Code section 602(n), trespassing, and was sentenced to 59 days in the county jail with credit for 59 days already served. This result is now weighed as a loss.

<sup>12</sup> The jury was “hung” 8 for guilt to 4 on the rape charge. A retrial with a new jury is now scheduled for February 4, 2019.