

ORIGINAL

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FILED
2-5-16
CLERK OF THE SUPERIOR COURT
BY Kelley Starn

rcvd
FEB 05 2016
KJ

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF STANISLAUS

12 PEOPLE OF THE STATE OF
13 CALIFORNIA,)

14 Plaintiff,)

15 vs.)

16 FRANK C. CARSON, et. al.,)

17 Defendants.)

CASE NO.: 1490969

DEFENDANT'S PRELIMINARY
HEARING MEMORANDUM RE:
P. HAMPTON'S WAIVER OF
ATTORNEY-CLIENT PRIVILEGE

Date: TBA
Time: 9:30 a.m.
Dept.: 26

18 Witness Patrick Hampton, the prior client of defendant Carson, waived the attorney-
19 client privilege repeatedly during the People's direct examination of him December 17, 2015.
20 The hearing court acknowledged as to the privilege, "... he has the right to waive it." PXT
21 P. 3823; 1. The court constructively found that he had waived it.

22 Hampton proceeded to do so at least 10 times as to discussions with attorney Carson that
23 did not involve alleged criminal conduct. The legal communications of Mr. Hampton's case were
24 discussed at:

25 PXT P. 3822; 6-16

26 P. 3823; 9-13

27 P. 3828; 16-26

28 P. 3864; 16-24

P. 3868; 11-14

P. 3868; 22-28

1 P. 3869; 1-3

2 P. 3869; 11-20

3 On cross-examination Mr. Hampton waived at least twice more at P. 4058; 3-9 and P.
4 4060; 19-23.

5 These testimonial waivers augment and continue the waivers of attorney-client
6 conversations that Mr. Hampton engaged in throughout his January 30, 2015 recorded interview
7 with law enforcement investigators.

8 Thus waived, the defendant has the right to examine into the conversations alleged.
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10 Respectfully submitted,

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12 Preciliano Martinez
13 Attorney for Frank Carson
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