

SUPERIOR COURT OF THE STATE OF CALIFORNIA
STANISLAUS COUNTY

DATE: September 21, 2015
JUDGE: Barbara Zúñiga

DEPARTMENT: 26
CLERK: K. Stein
REPORTER: Lisa DeRuiter
DOCKET: 1490969

PEOPLE OF THE STATE OF
CALIFORNIA,

DEPUTY DISTRICT ATTORNEY
MARLISA A. FERREIRA

Plaintiff,

vs.

FRANK CLIFFORD CARSON, et al.

DEFENSE COUNSEL:
PRECILIANO MARTINEZ, et al.

Defendants.

HEARING RE: NO TIME WAIVER OBJECTIONS/MOTIONS TO HEAR PRELIMINARY EXAMINATIONS WITHIN TEN DAY TIME PERIOD RE DEFENDANTS, SCOTT McFARLANE AND EDUARDO QUINTANAR, JR.

APPEARANCES:

The People of the State of California is present by Marlisa Ferreira, DDA. (Investigator Kirk Bunch is also present.)

Defendant, EDUARDO QUINTANAR, JR. is present with Alonzo Gradford, Esq.

Defendant, SCOTT McFARLANE is present with Lawrence Niermeyer, Esq.

Also present are Defendant, FRANK CLIFFORD CARSON (with Stephen Schmid, Esq.), Defendant, CHRISTINA ANNE DeFILIPPO by Ryan Roth, Esq. , and Defendant, BALJIT SINGH ATHWAL by attorney Martha Carlton-Magana.

(Present for Robert Woody, a Defendant in a separate case No. 1471110 is Bruce Perry, Esq.)

Case is regularly called for hearing at 2:31 p.m.

Motion to hold preliminary examinations of Defendants, EDUARDO QUINTANAR, JR. and SCOTT McFARLANE within the ten day time period from when pleas were entered is held.

Court and counsel discuss the time frames and Court hears oral argument from counsel.

Motions to set Defendants, EDUARDO QUINTANAR, JR. and SCOTT McFARLANE'S Preliminary Examination Hearings within the ten day time period is **GRANTED**. The tenth Court day is determined to be September 28, 2015.

This matter is **SET** for Preliminary Examination for **September 28, 2015 at 9:30 a.m. in Department 26** as to Defendants, SCOTT McFARLANE and EDUARDO QUINTANAR, JR. There is three to four day estimate. Defendants, SCOTT McFARLANE and EDUARDO QUINTANAR, JR. are ordered to appear on this date. All other Defendants are excused.

Court notes that Defendant, CHRISTINA DeFILIPPO has WAIVED TIME and will not have her preliminary examination held on this date.

The District Attorney's Office states they will only put on evidence stemmed from discovery given to these Defendants. Marlisa Ferreira, DDA requests counsel provide her with a jump drive in order to facilitate discovery.

There is a possibility that a 1050 motion may be filed. The District Attorney's Office shall confirm with the Court by Friday if they plan to go forward with the preliminary examinations for Defendants, SCOTT McFARLANE and EDUARDO QUINANTAR, JR.

Defendants, SCOTT McFARLANE and EDUARDO QUINANTAR, JR. file PC 977 waivers with the Court.

The following additional upcoming dates are set in this case:

September 25, 2015 - 9:30 a.m. - Department 26

Bail Source Hearing re Defendant, GEORGIA DeFILIPPO (and continued arraignment). Defendants, GEORGIA DeFILIPPO and FRANK CLIFFORD CARSON shall be present. All other Defendants are excused.

September 25, 2015 – 10:00 a.m. – Department 26

A full hearing on the order to show cause as to the Sheriff re shackling contempt issues and the motion to vacate the interim order re the shackling issues (and continued arraignments).

Defendants, GEORGIA DeFILIPPO, FRANK CLIFFORD CARSON, BALJIT SINGH ATHWAL, DALJIT ATWAL and WALTER WESTLEY WELLS shall be present at this date. All other Defendants are excused from this hearing.

October 1, 2015 - 10:00 a.m. - Department 26

1. Defendant, BALJIT SINGH ATHWAL'S Motion to Dismiss for Outrageous Government Misconduct.

2. Defendant, BALJIT SINGH ATHWAL'S Motion to Quash Ramey Warrant.

All Defendants shall be present on this date.

October 1, 2015 and October 2, 2015 – 10:00 a.m. – Department 26

Motion to Recuse the Stanislaus County District Attorney's Office.

All Defendants shall be present on this date.

Defendant, FRANK CLIFFOR CARSON is remanded to the custody of the Sheriff and his bail is currently set at No Bail.

Defendants, SCOTT McFARLANE and EDUARDO QUINTANAR, JR. are released on their respective bail bonds.

Court recesses for the day at 3:00 p.m.