

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
STANISLAUS COUNTY**

DATE: October 13, 2015
JUDGE: Barbara Ann Zúñiga

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

**PEOPLE OF THE STATE OF
CALIFORNIA,**

**CHIEF DEPUTY DISTRICT ATTORNEY:
MARLISA A. FERREIRA**

Plaintiff,

vs.

FRANK CLIFFORD CARSON, et al.

**DEFENSE COUNSEL:
PRECILIANO MARTINEZ, et al.**

Defendants.

NATURE OF HEARING:

Preliminary Examination Hearings and Motion to Quash

APPEARANCES:

The People of the State of California is present by Marlisa Ferreira, Chief Deputy District Attorney. (Investigator Kirk Bunch is also present.)

Defendant, BALJIT SINGH ATHWAL is present with Martha Carlton-Magaña, Esq.

Defendant, DALJIT ATWAL is present with Hans Hjertonsson, Esq.

Punjabi Interpreters: Gurpreet Kaur, Harinder Dhillon and Kuldeep Dhindsa have qualification of noncertified/non registered interpreter orders on file and they are interpreting for Defendants, BALJIT SINGH ATHWAL and DALJIT ATWAL.

Defendant, FRANK CLIFFORD CARSON is present with Preciliano Martinez, Esq. and Stephen Schmid, Esq.

Defendant, WALTER WESTLEY WELLS is present with Timothy Rien, Esq.

Defendant, GEORGIA DeFILIPPO is present with Jesse J. García, Esq.

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

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

Defendant, CHRISTINA ANNE DeFILIPPO is present with Robert L. Forkner, Esq.

Attorney Ryan Roth, Esq. is present to assist Mr. Martinez, Mr. Schmid and Mr. Forkner in this matter.

Also present is Bruce Perry, attorney for Robert Woody in criminal case No. 1471110.

Case is regularly called for hearing at 10:14 a.m.

Court takes formal ten and 60-day time waivers from Defendants, SCOTT McFARLANE and EDUARDO QUINTANAR, JR. These Defendants request to continue their preliminary examination hearings. D.A. has no objection. Court **GRANTS** their request (over the objections by the other Defendants) and **CONTINUES** their matters to **October 19, 2015 at 9:30 a.m. in Department 26** to reset their preliminary examinations (pre-trial setting).

Defense counsel object to an ex-parte chamber conference that occurred this morning between counsel for Mr. QUINTANAR, Mr. McFARLANE and the People. Court **OVERRULES** their objections.

Defendants, BALJIT SINGH ATHWAL, DALJIT ATWAL and WALTER WESTLEY WELLS move to continue their preliminary examination hearings. Motions are **DENIED**.

At 10:39 a.m., Defendant, SCOTT McFARLANE and his counsel are excused and leave the courtroom. All other parties/counsel remain present.

Mr. Martinez submits his declaration re Eula Keyes.

Court indicates that CHRISTINA ANNE DeFILIPPO has no conflict per her independent counsel.

At 10:45 a.m. waivers of any potential conflicts are formally taken by Defendants, FRANK CLIFFORD CARSON, GEORGIA DeFILIPPO and CHRISTINA ANNE DeFILIPPO regarding Ryan Roth assisting their counsel.

Robert Forkner objects to Mr. QUINTANAR and his counsel remaining at counsel table for these proceedings as today's hearings do not pertain to this Defendant. Court **GRANTS** this objection. They are shifted to seats not located at counsel table.

Attorney Martha Carlton-Magaña renews her motion to continue her client's preliminary examination hearing. Mr. Rien and Mr. Hjertonsson join in this request. Motions to continue Defendants, BALJIT SINGH ATHWAL, DALJIT ATWAL and WALTER WESTLEY WELLS' preliminary examination hearings are **DENIED**.

The preliminary examination hearing begins.

(Refer to preliminary examination minute orders.)

Defendants, BALJIT SINGH ATHWAL, DALJIT ATWAL, and FRANK CLIFFORD CARSON are remanded to the custody of the Sheriff with their bail currently set at No Bail.

Defendant, WALTER WESTLEY WELLS is remanded to the custody of the Sheriff with his bail currently set at \$10,000,000.00.

Defendants, GEORGIA DeFILIPPO, EDUARDO QUINTANAR, JR., SCOTT McFARLANE, and CHRISTINA ANNE DeFILIPPO are released on bail.

Court recesses for the day at 4:45 p.m.