

THE REAL STORY

pirate man

Richard Ingram

a Day of drinking at CAstaic lake

Date 2020-11-05 22:41:19

Categories my drinking daze

me and mike decided to hit the lake and got some coolers and filled them with beer and wine

coolers, it was hot out. and summer was just getting going, I think, this was after the space

shuttle exploded with that teacher inside, that is all I remember, I was digging a trench in

Valencia when It exploded, it was a sad time

we head up Castaic and started drinking and working on our tans, it was one of those days when

you drink so much, that you drink yourself sober, well not quite sober, but not 100% inebriated,

we decided to check out Newhall, which is a sister city of canyon country, Saugus and Valencia.

Newhall is the oldest known city in the area, now it is all Santa Clarita.

the week before I had been in Newhall with Dave Dupuis, a childhood pal, I had met some lady

in the supermarket and hooked up with her, pretty sure she was married, she was much older,

well at least 40, anyway that may have been our motivator to go to Newhall, or that is was really

the closest to a real city in that area, not sure, plus it was early for the bars, and not much dough

for that since I had quit my job. I just remember Dave kept asking me to share, I am not sure

what people are thinking, how do you share a hookup? it does not even make sense, like im

going to ask or tell her, can you share sex with my friend? I mean really, I was just glad that I

was hooking up, share? out of the question, it had happened on multiple occasions with different

people, the insanity of it all, NO Sharing, even if I could, I would not, gross, ok back, to the

story.

We end up downtown Newhall, looking for girls in all the wrong places, it had turned dark out

we were wandering around and met up with 2 girls, we asked them if they wanted to go drinking,

now this part does not make sense, as we did not have any more booze, at that point my primary

mission was getting more booze, so we started kicking a can, me and mike, like we were playing

a type of street soccer, and we all went across the street to a park, the main park in the city. I am

pretty sure this is a quite a distance, you have to cross (Lyons Ave, I had to look this up).

my disclaimer: this whole thing has haunted me over the years, I was young, 23 and dumb for

sure, that nobody can contest, but complicit in a rape of anyone at anytime of my life is out of the

question, I must say that in no way do I condone adults, trying to pick up on young girls, and

these girls were young, my main focus was getting more beer. this whole fiasco had brought me

a lifetime of shame, that still haunts me to this day, I mean I had never actively sought out

younger girls and always been attracted to women my own age or older. there is not excuse. they

just happened to be out wandering at the same time as we were. I do not remember talking to

them much, but they followed us or we followed them to the park, not sure.

my crime, was kissing the 14 year old, that was it, nothing else, but lets get to how the story

unfolded.

I was kissing the girl, not sure how long, but not long, if my memory serves me right, the next

thing I know is she starts screaming and pointing at her friend, who are about 50 ft away, not far,

but not close, and I am just guessing, I was drunk, just not inebriated, so I look over and just see

mikes white ass going up and down, they girl I am with is hysterical at this time, but I remember

seeing that white ass and started laughing, but that was only about a sec, before it was over.

I was not sure what had happened, this part I have never really gotten a grasp on, I was stunned,

but did not really know it at the time, I remember going back across the street and we could not

find mikes car, looking at the map, it seems odd, perhaps too stunned. the whole thing was

surreal, so were wandering around looking for his Camaro, and the cops pull up and have us

stand there for few minutes, and we were both arrested.

I was questioned the next morning and told them everything I knew, they seemed more interested

in why I was calling George, Mike, I think it was his middle name. I did not hold anything back,

just as I described here. they let me go in the morning

This is perhaps where my problems started, I knew that I did not molest or do anything to either

girl and I was not a participant nor did I, or will I ever condone sex by force, and in no way

should a man 10 years older than a girl be kissing her or even talking to her, that was my crime. I

was unaware of any rape, although on hindsight, they seemed to have gotten busy pretty quick,

but time when your drunk is lost.

I have never claimed to be the sharpest knife in the drawer, but I was quite dumb, as to the

potential trouble that I was in.

after being released, I treated the whole thing as a big joke, I mean at that time, I was very self

absorbed and my main goal was drinking. I knew I did not rape or even have sex with anyone,

and as far as watching a rape, for one thing, I saw nothing of what had transpired, there was no

call out for help, except the girl that I was kissing, which is bad enough, but never, ever would i

condone or be a part of rape of anyone, anytime.

I was released and just kept on drinking and partying, Mike was released on 20k bond, I did go

over to his house and talk to him, they had all kinds of people coming and going at his house, I

just thought the whole thing a big joke, even when they had a clip in the paper, without names, I

was joking around about the whole thing, that is when I met up with Jim Toops, he had recently

been divorced and lost a job and we started drinking together, he had an empty apartment in

Saugus. I read the paper and was laughing and making jokes, about cradle robbing. the

timeframe happened very fast, but not so clear now, not sure how many days of drinking with

Toops, before my incident, I think just a day or 2 at most, I got a call from a detective who

wanted me to come down to the station and do an interview, I was like sure, but went out

drinking instead, I remember meeting one of the twins, not sure if it was Val or Vicky, I had a

potential date with one of them, anyway I had this little red Mazda with a racing stripe on it, it

was one of those rotary engines. I met up with Jim again for some drinking, he had me pick up

these 2 girls, 15 and 18. then we went up to his friends house, I remember my Spidey senses not

feeling right about the whole thing, His friend James Albert was the boyfriend of the 18 year old,

he was 29, I had seen him before, at the Dupuis Condo, but did not know him, he seemed to be

sulking the whole time, I was just drinking and having a good time, I remember the 18 year old

eook pirate man

Diana, kept talking to me. never did I hit on either of them, just drinking and having a goodtime.

I am not sure what had, well at the time, I had no idea, why this guy would pick a fight with me,

after all he was on crutches, I had thought it was because his gf seemed to like me, but on

hindsight, perhaps this was a planned event. It seemed setup. this house was in the middle of

nowhere.

Out of nowhere this guy comes up to me and slaps me in the back of the head, I reacted by

punching him, but immediately backed down and put my hands up to diffuse the situation, I was

struck square in the eye with the crutch, I knew I was damaged, drunk and in the middle of

nowhere. my survival instincts kicked in and I hit the hills, I could hear this guy smashing my car

to bits, my little red Mazda was trashed. I was drunk, but I was able to make it back to the condo

through the hills, if I had went to the doctor, I might have saved it, but I was blinded for life.

I woke up hungover in the condo, took a long bath and went outside and looked up at the sun and

saw for the last time out of that eye. someone took me to Henry Mayo hospital, which they

admitted me, then transferred me to USC medical center, I remember being on a gurney for a

long time, before being treated. I called Wayne King to pick me up.

while I was out losing my eye drinking up, Wayne and Susan had been visited by the sheriffs,

who at gunpoint hauled them out of the house looking for me to arrest me since not showing up

for my appointment with the detective.

After turning myself in, I remember being booked into jail with a bottle of pain pills and a

Caesar sweater that I had gotten in Vegas at New Years, I never got either of them back.

Jail is a nightmare anytime, but when your charged with a heinous crime, it is much worse, I was

booked in with the murders and real rapist, everyone was hot felony criminals. I was scheduled

for the a Grand Jury Indictment, it took a few days before getting to court

so here I was in Court, there was a few people in the pews, my lawyer was a public defender, and

not a good one either. anyway. they start the case and the first thing he does is have the press

removed, this put my in a bad spot, the truth would never get out, that I was an unwilling

participant in whatever went on. they questioned the girl I kissed, she wanted to talk about her

friend, buty they stopped here there wanted to just know what I did to her, she said i kissed her

and felt outsider her shirt and the hearing was over, had the press been there they would have

seen, I was not indicted on anything other than a kiss. (I must say, not condoning 23 year old's

kissing 14 year old girls or even fraternizing with them, I was bailed out by the kings with my

mom's money.

This is where I made a mistake, perhaps, I plead guilty to a misdemeanor it sounded real bad,

lewd and lascivious, I think, the public defender went out of his way to tell me that it was not a

registerable offence, which he said, unlike a DUI, it will not be a permanent record, but they

failed to tell the Newspapers, as I found this article and my family found it also, I have to pay for

another subscription to post it. My intention from the get go, was to fight the charges, but was

convicted otherwise by Wayne King, he had said that he did not want this bail thing to last

forever, and they had already been through enough, so I plead guilty at my next court date, but I

asked the judge to grant me a week to meet with an occularist, which he did, saying he did not

want to stand in the way of me getting a free eye.

I had also been in another grand Jury hearing, for the guy who knocked out my eye, my original

plan was to kill him, yes it is true, I swore as I was hiking through the hills, that I was going to

kill him. this is where Wayne came in again, not sure how we got there, but there was also a

reward or benefit to victims of crime, I had already purchased a 32 Cal SW revolver, somehow

that was squashed in hopes of getting the 10 grand as a victim, so I filed a police report and

testified to a grand jury, I heard he was sentenced to 7 years, but probably never did more than a

month. It did not make the papers, I was told by Toops brother that he was also being charged

with beating up some skinny kid with a baseball bat, not sure if that was true or not. I will be

forever indebted to Tiny, as I would not have the life I have today.

after all these years, I have had time to contemplate the whole nightmare. this was the lowest

time in my life, I was a criminal outcast, the truth was never printed. to this day, I have no idea

what happened to the trial of George Williams, I do know that everyone in that town, except the

kings and Mushaneys turned their backs on me. I had learned from MIKE Williams that he did

indeed know the eye popper. Not only that, they had said I am not welcome at their house

anymore, he was the accused rapist, this was everywhere, nowhere to hide. it was the lowest

point, I got the hell out of dodge. They did try to get me to come and testify at the suspect that

knocked my eye out, but I was fishing in Kodiak, and trying to get my life back on track, well

there was not track at that time. you think all that would stop me from drinking? nope, not a

chance. it was not until getting kicked to the curb by me beloved for treason. not until the end of

1995 was I able to say, enough is enough.

I still had a warrant in California for taking off, so after getting sober and getting our family back

together, I flew to California to clear up my warrant, this is what the judged said, Mr. Simeonoff

I am sorry you had to go through all of this, and dismissed the charges and released me. I am not

sure what she meant, as I have had no information on what ended up happening, yes it still

haunts me, as I know that I have never been, or will I ever be a rapist or molester and hold deep

convictions that most of society problems are from lack of oversight of our children. I also know

that the newspaper story is wrong in its implying I had anything to do with the "alleged" rape,

but with that said, we were adults and had no business even talking to these young children 3r

years ago, one mistake in time can change your whole life.

No, I prefer to just forget this ever happened, but with the toxic people in this world, and all the

pedophile accusations, nobody is looking out for me, except me. so I post this story once again.

there are a few stories in this story, that I had glossed over, but will revisit in my journal website.

like when I walked from canyon country to Santa Monica and had sex on the beach with a girl

from Pennsylvania.

or getting drunk and losing my 32 and waking up on the beach, or being picked up by a

pornographer looking for porn actors, not me for sure. I am no saint even today

I have never claimed to be someone above the fray, I had been a womanizer, a bully and even a

thief at times, but the rape tag, is not me, and for anyone to even suggest or imply any such claim

is a liar and evil eye challenge anyone reading this to check the police reports and my story.

I am far from perfect, o 2 the contrary, I still love to look at pretty women and appreciate the

beauty that only youth can display, but not in a sexual way, more in the way you see a puppy or

kitten. I love to flirt and joke, but it stops there, and yes, I do like to boost my ego just knowing

sometimes. some fun banter is harmless, I am a devoted husband, who appreciates inner and

outer beauty, if that is a crime, well call me a criminal. no if someone is going to critique my life,

it would be more honest to attack my life of womanizing and violence, against other men, not

since my preteens have I ever laid hands on a female, and they were trying to beat me up. tough

tomboy girls, and never beat them up, just a sock in the face. I know I am still ashamed, who was

eye as a child, I was WILD WILD WILD

maybe add more when i find that damn story. I need to pay for newspapers.com. i have had a

eook pirate man

good life and trusted with other people kids coaching baseball and football and can see now way

to get my side of the story out, except by writing this piece. it feels like the whole thing was a

setup, but not proof, not too hard to setup up a drunk, but I know the blame is on me. I will have

to post this on other sites, in case there are others who wish me harm.

update: this response, unedited was created, not for me, but my descendants, or others, that have

allied or whatever, as I have been, there will always be something that someone can point a

finger at and label, well I dont give a fuck what most people think, I know the truth. I can give

people many reasons not to "like" me, but this nightmare should not be one of them, as to the

thief label, will be taken up in other post, my stealing days, were mostly in adolescents, except

for a drunken stereo, stolen from a car sold to Lincoln Nevat? sp? , wonder what ever happened

to Lincoln and his family? One last quip, from the time of being alerted to a problem and the

time he got off of her, was seconds, less than 5 for sure, not proud, but not complicit Ok not sure

how long I will leave this up, but I am after all a damaged nut, who just want to be left alone.....

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff:

Case No. A705642

v.

INFORMATION

Arraignment Date: 07/01/86
Department: NV 1

RICHARD ETHAN SIMONOFF

Defendant (r)

INFORMATION
SUMMARY

Ct. No.	Charge	Charge Basic	Defendant	Special Allegation	Alleg. Effect
1	PC288(b)	3-6-B	SIMONOFF, RICHARD E		

The District Attorney of the County of Los Angeles, by this Information alleges that:

COUNT 1

On or about May 18, 1986, in the County of Los Angeles, the crime of
FORCEFUL LEWD ACT UPON CHILD, in violation of PENAL CODE SECTION 288(b), a
Felony, was committed by RICHARD ETHAN SIMONOFF, who did willfully,

unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Kerry Berte, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child, by use of force, violence, duress, menace, and threat of great bodily harm.

* * * * *

THIS INFORMATION NUMBERED A705642 CONSISTS OF 1 PAGE(S).

DIA REINER, DISTRICT ATTORNEY
County of Los Angeles,
State of California

BY: Billy D. Webb
BILLY D. WEBB,
DEPUTY DISTRICT ATTORNEY

Filed in Superior Court,
County of Los Angeles

DATED: _____

FELONY COMPLAINT - ORDER HOLDING TO ANSWER - P.C. SECTION 872

It appearing to me from the evidence presented that the following offense(s) has/have been committed and that there is sufficient cause to believe that the following defendant(s) guilty thereof, to wit:

(Strike out or add as applicable)

GEORGE MICHAEL WILLIAMS

COUNT NO.	CHARGE	SPECIAL ALLEGATION
1	PC261(2)	
2	PC288(b)	

RICHARD ETHAN SIMEONOFF

COUNT NO.	CHARGE	SPECIAL ALLEGATION
3	PC288(b)	

I order that defendant(s) be held to answer therefor and be admitted to bail in the sum of:

<u>GEORGE MICHAEL WILLIAMS</u>	<u>10,000.00</u>	<u>BFS</u>	<u>Dollars</u>
<u>RICHARD ETHAN SIMEONOFF</u>	<u>5,000.00</u>		<u>Dollars</u>

and be committed to the custody of the Sheriff of Los Angeles County until such bail is given. Date of arraignment in Superior Court will be:

<u>GEORGE MICHAEL WILLIAMS</u>	<u>7-1-86</u>	in Dept: <u>"I"</u>
<u>RICHARD ETHAN SIMEONOFF</u>	<u>7-1-86</u>	in Dept: <u>"I"</u>
at: <u>9:00</u> A.M.		
Date: <u>6-17-86</u>		

Paul I. Metzler
 Committing Magistrate
 PAUL I. METZLER

Further, attached hereto and incorporated herein are official reports and documents of a law enforcement agency which undersigned believes establish probable cause for the arrest of defendant(s) GEORGE MICHAEL WILLIAMS and RICHARD ETHAN SIMEONOFF, for the above-listed crimes. Wherefore, a warrant of arrest is requested for RICHARD ETHAN SIMEONOFF.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER A705642, CONSISTS OF 3 COUNT(S).

Executed at San Fernando, County of Los Angeles, on May 28, 1986.

R. J. Lichten
 DEP. LICHEN,
 DECLARANT AND COMPLAINANT

.....
 IRA REIDNER, DISTRICT ATTORNEY

BY: Shellie Samuels
 SHELLIE SAMUELS, DEPUTY

EDWARD M. KRITZMAN
 Clerk of Municipal Court of
 Los Angeles Judicial District
 By: M. Caruth Deputy

AGENCY: LASO SCV

PRELIM. TIME EST.:

DEFENDANT	CLI NO.	DOB	BOOKING NO.	RAIL RECOM'D	CUSTODY R/TN DATE
WILLIAMS, GEORGE MICHAEL		1/08/64	8581815	\$ 10,000	
SIMEONOFF, RICHARD ETHAN		9/17/62		\$ 20,000	

COUNT 2

On or about May 18, 1986, in the County of Los Angeles, the crime of FORCIBLE LEWD ACT UPON CHILD, in violation of PENAL CODE SECTION 288(b), a Felony, was committed by GEORGE MICHAEL WILLIAMS, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Michelle Reynolds, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child, by use of force, violence, duress, menace, and threat of great bodily harm.

* * * * *

COUNT 3

On or about May 18, 1986, in the County of Los Angeles, the crime of FORCIBLE LEWD ACT UPON CHILD, in violation of PENAL CODE SECTION 288(b), a Felony, was committed by RICHARD ETHAN SIMEONOFF, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Kerry Herte, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child, by use of force, violence, duress, menace, and threat of great bodily harm.

* * * * *

IN THE MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT
IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

No. A705642

THE PEOPLE OF THE STATE OF CALIFORNIA, VS.	DATE POSTED	APPEARANCE DATE	AMOUNT	RECEIPT OR BOND NO.	SURETY
SURETY BOND 46142002 GEORGE MICHAEL WILLIAMS, and RICHARD ETHAN SIMEONOFF	5-22-86	6-2-86	10,000	0334350	DEPENDABLE
Defendant(s)					
Date 5/28/86 Complaint filed, sworn to by DET. LICHTEN, charging defendant(s) with having committed on May 18, 1986, in the County of Los Angeles, the felony offense(s) of: VIOLATION OF SECTION 261(2) PC COUNT I, 288(b) PC COUNT II, (As to George Michael Williams). 288(b) PC COUNT III, (As to Richard Ethan Simeonoff). Warrant issued and given to DET. LICHTEN for service. The defendant is to be admitted to bail in the sum of \$ 10,000.00 (As to George Michael Williams). Penalty assessment to be deposited \$ 20,000.00 (As to Richard Ethan Simeonoff). JUN 2 1986 DIV. 130 convened at M., Cause called. Judge CHARLES L. PEVEN presiding. People represented by Reporter Defendant(s) in court and represented by gives true name as Defendant informed of the charge against him (her) and of his (her) right to the aid of counsel in every stage of the proceedings. Preliminary examination set for at M., Div. Bail set at \$ Penalty assessment to be deposited \$ Copy of complaint given to defendant. Defendant committed. Subpoena issued. M. C. Munera Deputy Clerk; DIV. convened at M., Cause called. Judge presiding. People represented by Reporter Defendant(s) in court and represented by Deputy Clerk; AS TO WILLIAMS JUN 2 1986 130 CHARLES L. PEVEN BAIL FORFEITED. BENCH WARRANT ISSUED. BAIL \$25,000.00 PENALTY ASSESSMENT TO BE DEPOSITED \$ No 10% BAIL FORFEITURE CARD ISSUED #28373					

No. A-705642

Page 2

People of the State of California, Plaintiff,

vs. George Michael Williams and Richard Ethan Simonoff Defendant(s)

AS CHARLES L. PEVER Presiding D.D.A. Spillane Deputy Clerk

JUN 5 1986 In Court, Deft. D. Milgrom Deputy Clerk

130

Custody

AS H

Simonoff

only

DEFENDANT AND ATTORNEY

INTERVIEW BY 130 ONLY WAVES READING

NOTICE COMPLAINT AND STATEMENT OF CRIMINAL RIGHTS PLEADS

NOT AND WAVES READING OF COMPLAINT AND STATEMENT OF

CONSTITUTIONAL

RIGHT TO TRIAL BY JURY 6-17-86

DIV. 132 RIGHT TO SPEEDY TRIAL WAIVED (b.i.s.(O.R.))

Bail - \$5,000.00

Remanding order issued

6-11-86 Bail not

CLERK'S NOTICE OF FORFEITURE OF SURETY BOND FILED

JUN 17 1986 In this case PAMELA J. BISSON, CSR Reporter is ordered to take down proceedings as provided by law.

DIV. 132 convened Case called Judge PAUL I. METZLER presiding Both parties ready

People represented by Shelley Samuels, DDA S. G. McNamee

Defendant Simonoff In court and represented by Counsel Deputy Clerk

Williams represented by Joe Walsh for J. T. Volkmay

Simonoff represented by Peter Kaufman, DCA

AS Bail forfeiture not order

Bail reinstated

TO Defendant waives arraignment and statement of rights

Terms waived

Williams Preliminary Hearing set for 7-10-86 in Division 132

Bail up to bond

AS Defendant and counsel in open court waive further reading of the complaint and statement of his (her) constitutional rights.

Witness for State: Kenny Horta

TO THE PEOPLE REST

NO DEFENSE

DEFENDANT'S MOTION TO DISMISS FOR INSUFFICIENCY OF THE EVIDENCE GRANTED / DENIED

Defendant held to answer to the Superior Court. Bail Set at \$5,000.00 Commitment

Simonoff Issued. Defendant committed. Defendant instructed to appear in Dept. 1 D.V. Superior Court for arraignment on 7-1-1986 at 2:00 a. M.

FILES AND EXHIBITS TO COUNTY CLERK

RECEIPT # 826864

People of the
State of
California,
Plaintiff,

vs. George Michael Williams
Richard Ethel Simeonoff
Defendant(s)

Date	In this case	Reporter is ordered to take down proceedings as provided by law.
JUL 10 1986	CARYN SCOTT, CSR DIV. <u>132</u> convened at <u>M.</u> , Cause called. Judge PAUL I. METZLER presiding. Both parties ready. People represented by <u>Nancy Ridames</u> (D.O.A.) Defendant in court and represented by <u>Rick S. Starnfeld</u> <u>S. Bustamante</u> Deputy Clerk: DEFENDANT <u>S. Bustamante</u> MOTION FOR CONTINUANCE (GRANTED) <u>NO</u> OPPOSITION. PRELIMINARY HEARING CONTINUED TO <u>8-21-86</u> 8:30 A.M. DIV. <u>132</u> DEFENDANT WAIVES HIS RIGHT TO A SPEEDY PRELIMINARY HEARING AND DEFENDANT'S ATTORNEY JOINS IN THE TIME WAIVER AND STIPULATES TO TRAIL WITHIN 10 COURT DAYS OF ABOVE DATE IF NECESSARY. BAIL (UP TO STAND) <u>NO BAIL REQUESTED</u> Defendant and counsel personally waive his/her right to a preliminary examination within 10 court days and within 60 days from the date of arraignment or plea [Penal Code Section 859b].	
AUG 21 1986	G. T. Williams DIV. <u>132</u> convened Cause called. Judge PAUL I. METZLER presiding. Both parties ready. People represented by <u>Williams, G. T.</u> <u>S. Bustamante</u> Defendant in court and represented by <u>Joseph T. Vadnery</u> Deputy Clerk: As <u>DEFENDANT</u> <u>S. Bustamante</u> MOTION FOR CONTINUANCE (GRANTED) <u>NO</u> OPPOSITION. PRELIMINARY HEARING CONTINUED TO <u>8-25-86</u> 8:30 A.M. DIV. <u>132</u> DEFENDANT WAIVES HIS RIGHT TO A SPEEDY PRELIMINARY HEARING AND DEFENDANT'S ATTORNEY JOINS IN THE TIME WAIVER AND STIPULATES TO TRAIL WITHIN 10 COURT DAYS OF ABOVE DATE IF NECESSARY. BAIL (UP TO STAND) <u>NO BAIL REQUESTED</u> Defendant and counsel personally waive his/her right to a preliminary examination within 10 court days and within 60 days from the date of arraignment or plea [Penal Code Section 859b]. ONLY <u>Stipulation to People's continuance, if necessary.</u>	
SEP 2 1986	TERRY MASON, CSR DIV. <u>132</u> convened Cause called. Judge PAUL I. METZLER presiding. Both parties ready. People represented by <u>Shelia Samuels, D.O.A.</u> <u>S. Bustamante</u> Defendant in court and represented by <u>Timothy C. Pannone</u> Deputy Clerk: As <u>DEFENDANT</u> <u>S. Bustamante</u> MOTION FOR CONTINUANCE (GRANTED) <u>NO</u> OPPOSITION. PRELIMINARY HEARING CONTINUED TO <u>10-28-86</u> 8:30 A.M. DIV. <u>132</u> DEFENDANT WAIVES HIS RIGHT TO A SPEEDY PRELIMINARY HEARING AND DEFENDANT'S ATTORNEY JOINS IN THE TIME WAIVER AND STIPULATES TO TRAIL WITHIN 10 COURT DAYS OF ABOVE DATE IF NECESSARY. BAIL (UP TO STAND) <u>NO BAIL REQUESTED</u> Defendant and counsel personally waive his/her right to a preliminary examination within 10 court days and within 60 days from the date of arraignment or plea [Penal Code Section 859b]. ONLY <u>Prob. Clerk request requested</u> <u>Probation refused sent to Probation Dept.</u>	

No. A-705642

Page 4

People of the
State of
California,
Plaintiff.

vs. George Michael Williams
Richard Edgar Shemoff
Defendant(s)

OCT 28 1986	In this case <u>Kathy Holmberg</u>	Reporter is ordered to take down proceedings as provided by law.
	DIV. 132 convened Cause called, Judge <u>PAUL I. METZLER</u> presiding. Both parties ready	
	People represented by <u>Mark Kaufman, DDA</u>	
	Defendant in court and represented by <u>Joseph T. Volnary</u> Deputy Clerk	
As	<u>Pre Plea Probation Report - Filed</u>	
To	<u>DEFENDANT MOTION FOR CONTINUANCE (GRANTED) NO OPPOSITION. PRELIMINARY HEARING CONTINUED TO 11-14-86 8:30 A.M. DIV. 132. DEFENDANT WAIVES HIS RIGHT TO A SPEEDY PRELIMINARY HEARING AND DEFENDANT'S ATTORNEY JOINS IN THE TIME WAIVER AND STIPULATES TO TRAIL WITHIN 10 COURT DAYS OF ABOVE DATE IF NECESSARY. BAIL (UP TO STAND) \$</u>	Defendant and counsel personally waive his right to a preliminary examination within 10 court days and within 60 days from the date of arraignment or plea [Penal Code Section 859b].
Williams ONLY		<u>Sitting only</u>
NOV 14 1986	In this case <u>LYNN REAVES, CSR</u>	Reporter is ordered to take down proceedings as provided by law.
	DIV. 132 convened Cause called, Judge <u>PAUL I. METZLER</u> presiding. Both parties ready	
	People represented by <u>Janice Maurizi, DDA</u>	
	Defendant in court and represented by <u>Joseph T. Volnary</u> Deputy Clerk	
As	<u>DEFENDANT MOTION FOR CONTINUANCE (GRANTED) NO OPPOSITION. PRELIMINARY HEARING CONTINUED TO 12-16-86 8:30 A.M. DIV. 132. DEFENDANT WAIVES HIS/HER RIGHT TO A SPEEDY PRELIMINARY HEARING AND DEFENDANT'S ATTORNEY JOINS IN THE TIME WAIVER AND STIPULATES TO TRAIL WITHIN 10 COURT DAYS OF ABOVE DATE IF NECESSARY. BAIL (UP TO STAND) \$</u>	Defendant and counsel personally waive his right to a preliminary examination within 10 court days and within 60 days from the date of arraignment or plea [Penal Code Section 859b].
Williams ONLY		<u>Sitting only</u>
DEC 16 1986	In this case <u>LOUISE EAHEART, CSR</u>	Reporter is ordered to take down proceedings as provided by law.
	DIV. 132 convened Cause called, Judge <u>PAUL I. METZLER</u> presiding. Both parties ready	
	People represented by <u>JEFFREY S. GUTMAN</u>	
	Defendant in court and represented by <u>Joseph Walsh</u> Deputy Clerk	
As	<u>DEFENDANT MOTION FOR CONTINUANCE (GRANTED) NO OPPOSITION. PRELIMINARY HEARING CONTINUED TO 1-2-87 8:30 A.M. DIV. 132. DEFENDANT WAIVES HIS/HER RIGHT TO A SPEEDY PRELIMINARY HEARING AND DEFENDANT'S ATTORNEY JOINS IN THE TIME WAIVER AND STIPULATES TO TRAIL WITHIN 10 COURT DAYS OF ABOVE DATE IF NECESSARY. BAIL (UP TO STAND) \$</u>	Defendant and counsel personally waive his right to a preliminary examination within 10 court days and within 60 days from the date of arraignment or plea [Penal Code Section 859b].
ONLY		<u>for sitting only</u>
		<u>Stipulation to People's continuance if necessary.</u>

People of the
State of
California,
Plaintiff,

vs. George Michael Williams

Richard Ethan Simeonoff

Defendant(s)

Date	JAN - 7 1987		
In this case	DEBRA TIGMO, CSR	Reporter is ordered to take down proceedings as provided by law.	
DIV.	132	convened at	M., Cause called. Judge PAUL I. METZLER presiding.
Both parties ready.	People represented by		Shelia Samuels (D.O.A.)
Defendant	in court and	represented by	Joseph T. Volonoy, J. Rustamant Deputy Clerk:
As	On motion of the people and and leave of court first obtained, an amended complaint is deemed filed, alleging the violation of section <u>261.5 P.C.</u> as count <u>4</u> . Defendant arranged receives reading of amended complaint and statement of rights on amended complaint and enters a plea <u>4</u> guilty (nolo contendere) to count <u>4</u> . count <u>1 and 2</u> to be dismissed on motion of the Deputy Attorney Attorney at the time of sentence.		
To	District		
GUILTY PLEA			
WILLIAMS	☒ Defendant's true name is as charged. ☒ Defendant read the contents of the complaint. ☒ Complaint read to the defendant. ☒ Defendant was advised he or she is entitled: ☒ To public trial and Preliminary Hearing. ☒ To the aid of the court in producing witnesses in his or her behalf without cost. ☒ To confront witnesses against him/her in presence of the court and to cross-examine witnesses. ☒ Not to be a witness against himself/herself. ☒ To a trial by a jury or court. ☒ To be represented by a lawyer of his/her choosing or to have counsel appointed for him/her if financially unable to employ counsel. ☒ To remain silent or to answer questions and the charges and consequences of self-incrimination.		
ONLY	DEFENDANT ADVISED OF: ☒ Elements of the charge. ☒ Possible defenses by attorney. ☒ Maximum and minimum sentence. ☒ Other consequences of a plea of guilty or nolo contendere. ☒ If he/she is not a citizen, a conviction of the offense charged may result in deportation, exclusion from admission to the U.S. or denial of naturalization. (P.C. 1016.5)		
	DEFENDANT EXPRESSLY AND EXPLICITLY WAIVES HIS OR HER RIGHT TO: ☒ Remain silent and privilege against self-incrimination. ☒ Preliminary Hearing. ☒ Jury trial and court trial. ☒ Witnesses, confrontation, cross-examination, and subpoena. ☒ Assistance of counsel. ☒ An advisor of defense by the court.		
	ATTORNEY'S JOIN IN ALL WAIVERS AND CONCUR IN THE PLEA: ☒ Defense ☒ People		
	AFTER INQUIRY, THE COURT FINDS: ☒ All waivers were knowingly, intelligently and understandingly made. ☒ There is a factual basis for the plea. ☒ The plea is freely and voluntarily made.		
	THE PLEA: ☒ The plea is accepted by the court. ☒ Defendant with leave of court first obtained withdraws his/her plea of not guilty and enters his/her plea of: ☒ Guilty <u>4</u> () Nolo contendere - Defendant is advised of P.C. 1016(b). ☐ Admits unenhanced allegation(s).		
	DISMISSAL OF COUNTS: ☒ Counts <u>1 and 2</u> to be dismissed upon sentence on People's Motion pursuant to P.C. 1305.		
CASE CERTIFIED TO THE SUPERIOR COURT FOR APPEARANCE IN DEPT. I <u>Nathan Vanuxem</u> of the SUPERIOR COURT ON <u>2-18-87</u> AT <u>2:00 P.M.</u> CERTIFICATE ISSUED. <u>Bail up to stand</u> <u>Probation referral sent to Probation Department</u>			
FILE AND EXHIBITS TO COUNTY CLERK RECEIPT # <u>896178</u>			

76R 248 (REV. 5-85) C-100		THE PEOPLE OF THE STATE OF CALIFORNIA VS		ATTORNEY FOR THE PEOPLE			FELONY NUMBER A 705642	
DEPT ID	NAME	BAIL	1st CHARGE	2nd CHARGE	3rd CHARGE	ATTORNEY FOR DEFENDANT		
02 01	SIMEONOFF RICHARD ETHAN WILLIAMS, GEORGE MICHAEL	5000	01 288.8 CTS 261.5 01 CTS			<i>(02) P. Kumpriak</i> <i>(01) J. Vodyanov</i>		
Division or Mun. Ct. <i>01) 132</i>		Date of Crime <i>05 18 86</i>	Arresting Agency		Superior Court Judges			
Complaint Filed: <i>01) 1-12-87</i> <i>06 24 86</i>		Arraignment Set For <i>01) 2-18-87</i> <i>07 01 86</i>		In Dept. <i>NVI</i> <i>NVI</i>		PROBATION NO. <i>X</i>		
Preliminary transcript and <i>copies</i> filed <i>forwarded to</i> <i>on</i>								
Copy of transcript received								
DATE	DEPT	PROCEEDINGS			ENTERED BY	REPORTER		
		☒ INFORMATION FILED	☒ Certificate on guilty plea filed	☐ Indictment filed				
<i>10-2-86</i>	<i>I</i>	<i>(02) Prob. removed. B.W. issued. No Bail.</i>			<i>H.</i>	<i>C. Oleson</i>		
<i>2-18-87</i>	<i>I</i>	<i>(01) Prob. could 2-25-87 9/1</i>			<i>(01) Bail</i>	<i>H. Kitchum</i>		
<i>2-25-87</i>	<i>I</i>	<i>(01) Prob. Judge set 3 yrs - 80 days</i>						
		<i>9 - probis 1 day - 9 fine stayed to</i>						
		<i>3-25-87 9/1</i>			<i>(01) Bail</i>	<i>H. Kitchum</i>		
<i>3-25-87</i>	<i>I</i>	<i>(01) Prob. stayed to 4-24-87 9/1</i>			<i>(01) Prob</i>	<i>H. Kitchum</i>		
<i>4-24-87</i>	<i>I</i>	<i>(01) Prob. surrendered to serve 9/1</i>			<i>(01) Prob</i>	<i>A. Tracy</i>		
FURTHER PROCEEDINGS CONTINUED ON BACK SIDE								
DEPT. NO.	BOND FILED	NAME OF SURETY			NAME OF AGENT			
<i>01</i>	<i>10,000</i>	<i># 0834350 Dependable</i>			<i>D. Hart</i>			

eook pirate man

750C
MAR. 27, 1997
MURKIN
B. MATHIE
A 105647

DEPT. NOT
INCINATED
B. BUCKER

J. WINTER
H. LYNN 421

SIMONOFF, RICHARD ✓
GUY (H) CICI
APW 2/11
RCH

COURT FINDS PROBATION TERM HAS SINCE EXPIRED.

375937

32797 4

eook pirate man

MIS. OCTOBER 27 1986
 DEPT. 4 ARBUCKLE
 DEPUTY CLERK REPORTER
 PEOPLE OF THE STATE OF CALIFORNIA
 VS
 J2 SIMONOFF RICHARD ETHAN
 288-U OICTS
 P KRUPINSKY PD
 (BOX CHECKED IF ORDER APPLICABLE)
 NATURE OF PROCEEDINGS
 FILE # 118679 C/J STAY ON PROB 07-01-86
 101 ☐ IS SWORN AS THE ENGLISH
 102 ☐ PUBLIC DEFENDER APPOINTED, D.P.D.
 103 ☐ DUE TO CONFLICT OF INTERESTS, PUBLIC DEFENDER RELIEVED PURSUANT TO PENAL CODE SECTION 997.2 GOVERNMENT CODE SECTION 31000
 104 ☐ ALTERNATE DEFENSE COUNSEL IS APPOINTED
 105 ☐ DEFENDANT IS ADVISED OF RIGHTS HE HEARING ON VIOLATION, DEFENDANT ADMITS VIOLATION OF PROBATION AND WAIVES RIGHTS TO HEAVOCATION HEARING
 106 ☒ DEFENDANT IS FOUND TO BE IN VIOLATION OF PROBATION
 107 ☐ PROBATION IS REVOKED
 108 ☐ SENTENCE PREVIOUSLY IMPOSED PLACED IN FULL FORCE AND EFFECT
 109 ☐ IMPRISONED IN STATE PRISON (LOS ANGELES COUNTY JAIL FOR TERM OF
 110 ☐ PROBATION REINSTATED/CONTINUED ON SAME TERMS AND CONDITIONS, EXCEPT FOR MODIFICATION (SEE BOX 114)
 111 ☐ PROBATION REINSTATED FOR A PERIOD OF YEARS (SEE CONDITIONS BELOW/ATTACHED)
 112 ☐ PROBATION IS EXTENDED TO
 113 ☐ ON MOTION, FURTHER PROCEEDINGS CONTINUED TO AT A.M. IN DEPT. NON APPEARANCE CALENDAR
 114 ☐ DEFENDANT INSTRUCTED TO RETURN ON ABOVE DATE
 115 ☐ SUPPLEMENTAL PROBATION REPORT IS ORDERED
 116 ☐ DEFENDANT PERSONALLY AND ALL COUNSEL WAIVE TIME FOR
 117 ☐ FURTHER ORDERS AS FOLLOWS
 118 ☐ SENTENCE COUNTS TO RUN CONSECUTIVELY/CONCURRENTLY WITH
 119 ☐ DEFENDANT TO BE GIVEN CREDIT FOR DAYS IN CUSTODY (INCLUDES DAYS GOOD TIME/WORK TIME)
 120 ☐ COURT ADVISES DEFENDANT OF HIS APPEAL/PAOLE RIGHTS
 121 ☐ SHERIFF IS ORDERED TO ALLOW DEFENDANT PHONE CALLS AT DEFENDANT'S EXPENSE
 122 ☐ CRIMINAL PROCEEDINGS ADJOURNED
 123 ☐ DEFENDANT ORDERED DELIVERED TO DEPARTMENT OF CORRECTIONS PURSUANT TO SECTION 1203.33 PENAL CODE
 124 ☐ FURTHER PROCEEDINGS CONTINUED TO AT A.M. IN DEPT.
 125 ☐ EXECUTION OF SENTENCE IS SUSPENDED PETITION ORDERED FILED IN DEPARTMENT 95 PURSUANT TO SECTION 3051 WELFARE AND INSTITUTIONS CODE. FURTHER PROCEEDINGS CONTINUED TO AT 10:00 A.M. IN DEPARTMENT 95
 126 ☐ COUNSEL AND DEFENDANT ARE ORDERED TO APPEAR IN DEPARTMENT 95 ON THE ABOVE DATE
 127 ☐ FURTHER PROCEEDINGS CONTINUED TO AT 9:00 A.M. IN THIS DEPARTMENT
 128 ☐ DEFENDANT HAVING BEEN COMMITTED BY DEPARTMENT 95 PURSUANT TO SECTION 3051 WELFARE AND INSTITUTIONS CODE, N.D.A. NUMBER
 129 ☐ MATTER IS ORDERED OFF CALENDAR
 130 ☐ PURSUANT TO SECTION 17 PENAL CODE, OFFENSE IS DETERMINED TO BE A MISDEMEANOR
 131 ☐ PROBATION IS ORDERED TERMINATED PURSUANT TO SECTION 1203.3 PENAL CODE
 132 ☐ PLEA OF GUILTY ON CONVICTION IS SET ASIDE, A PLEA OF NOT GUILTY IS ENTERED, CASE IS DISMISSED PURSUANT TO SECTION 1203.4 PENAL CODE
 133 ☐ ORDER OF GRANTING DAYS GOOD TIME/WORK TIME CREDIT IS ORDERED VACATED
 134 ☐ DEFENDANT'S EX PARTE REQUEST / MOTION FOR IS DENIED/GRANTED DEFENDANT NOTIFIED BY U.S. MAIL
 135 ☒ DEFENDANT FAILS TO APPEAR WITHOUT SUFFICIENT EXCUSE
 136 ☒ BAIL POSTED, FORFEITED, REVOKED, BENCH WARRANT ORDERED ISSUED, QUOTE AND UNQUOTE
 137 ☐ BENCH WARRANT RECALLED / QUASHED () RECALL # ISSUED () WARRANT / ARREST FILED
 138 ☐ UPON PAYMENT OF \$ COSTS BEFORE \$ COSTS HAVING BEEN PAID TIME
 139 ☐ (RECEIPT # ORDER OF FORFEITING BAIL IS \$ TO BE VACATED AND BAIL
 140 ☐ STATED AND EXONERATED
 141 ☐ BAIL SET AT
 142 ☐ REMANDED
 143 ☐ RELEASED
 144 ☐ BAIL EXON
 145 ☐ O.R. DISCHARGED
 146 ☐ MINUTE ORDER
 147 ☐ BOND NO
 148 ☐ IN CUSTODY OTHER MATTER
 149 ☐ ON PROBATION
 150 ☐ MINUTES ENTERED
 151 ☐ COUNTY CLERK

eook pirate man

2

A & P
 Date: July 1, 1986
 MONTHLY: RONALD S W LEW
 W RUPERT
 DEPT. NV 1
 A ARBUCKLE
 Deputy District Attorney
 S Ogden
 P Krueger
 A 705642
 PEOPLE OF THE STATE OF CALIFORNIA
 VS
 OP SIMONOFF, RICHARD EDIAN
 248(b) 01 et.
 (BOX CHECKED IF OTHER APPLICABLE)
 TYPE OF PROCEEDINGS: A & P
 BAIL
 7/1/86
☐ DEFENDANT ADVISED OF FINANCIAL RESPONSIBILITY
☐ ACKNOWLEDGMENT OF NOTICE FILED
☒ STIPULATION RE APPOINTMENT OF JUDGE PRO TEM WHERE IS SIGNATURE FILED
☐ PUBLIC DEFENDER APPOINTED, O.P.D.
☐ DUE TO CONFLICT OF INTERESTS, PUBLIC DEFENDER DELETED PURSUANT TO SECTION 90.2 PENAL CODE
☐ ON PEOPLE'S MOTION, AMENDMENT TO AMENDED INFORMATION FILED DENIED FILED INFORMATION AND NOTICE INTERPRETATION, AS FOLLOWS
☒ ARRAIGNED, PLEADS NOT GUILTY
☒ ARRAIGNMENT PLEA CONTINUED TO
☒ PRE TRIAL CONFERENCE
☒ TRIAL SETTING
☒ DEFENDANT PERSONALLY AND ALL COUNSEL WAIVE TIME FOR TRIAL
☒ DEFENDANT PERSONALLY AND ALL COUNSEL WAIVE TRIAL BY JULY, COURT ACCEPTS WAIVER
☒ DEFENDANT ADVISED AND PERSONALLY WAIVES HIS RIGHT TO CONFRONTATION OF WITNESSES FOR THE PURPOSE OF FURTHER CROSS EXAMINATION AND WAIVES PRIVILEGE AGAINST SELF INCRIMINATION. DEFENDANT ADVISED OF POSSIBLE EFFECTS OF PLEA ON ANY ALLEGE OR CITIZENSHIP STATUS
☐ COURT, WITH CONSENT OF DEFENDANT AND ALL COUNSEL, REFERS THE MATTER TO THE PROBATION DEPARTMENT FOR PROBATION REPORT PURSUANT TO SECTION 1000 PENAL CODE. FURTHER PROCEEDINGS CONTINUED TO
☐ ON DEFENDANT'S MOTION, MATTER RETURNED TO PROBATION DEPARTMENT FOR THE PLEA REPORT PURSUANT TO SECTION 1000 CODE OF CIVIL PROCEDURE. CONTINUED TO
☐ ON MOTION, CASE CONSOLIDATED INTO CASE
☐ PLEADS GUILTY/NOLO CONTENDIT WITH CONSENT OF DISTRICT ATTORNEY AND APPROVAL OF COURT, TO VIOLATION OF SECTION 1000 IN COUNTY
☐ DEFENDANT REFERRED TO PROBATION DEPARTMENT
☐ DEFENDANT WAIVES TIME FOR SENTENCE
☐ PROBATION AND SENTENCE HEARING SET
☐ DISPOSITION OF COUNTY
☐ DETERMINATION OF PRIORS ALLEGED/DEGREE/ARMED/DANGEROUS/RIGHT AT BODY INJURY ALLEGATION
☐ DEFENDANT WAIVES PROBATION REFERRAL REQUESTS IMMEDIATE SENTENCE (SEE SENTENCE BELOW SEE ATTACHED SHEET)
☐ FURTHER ORDER AS FOLLOWS
☒ DEFENDANT IS ORDERED TO RETURN ON THE ABOVE DATE(S)
☐ THE SHERIFF IS ORDERED TO ALLOW THE DEFENDANT
☐ DEFENDANT FAILS TO APPEAR WITH/WITHOUT SUFFICIENT EXCUSE
☐ BENCH WARRANT ORDERED ISSUED AND HELD UNTIL
☐ DEFENDANT APPEARING, BENCH WARRANT ORDERED RECALLED QUASHED
☐ UPON PAYMENT OF \$ COSTS BEFORE
☐ REASSUMPTION FILING/COSTS PAID (ELECT NO)
☐ BAIL REINSTATED
☐ DEFENDANT'S MOTION FOR RELEASE ON O.R./REDUCTION OF BAIL IS GRANTED/DENIED
☐ BAIL RESET AT \$
☐ REMANDED
☒ BAIL
☐ BAIL EXON
☐ BOND NO
☐ RELEASED
☐ BAIL EXON
☐ BOND NO
 777 (REV. 4/82) MINUTE ORDER 7/1/86 COUNTY CLERK 1 A & P



Salt River
PIMA-MARICOPA INDIAN COMMUNITY
10,005 E OSBORN RD/SCOTTSDALE, ARIZONA 85256/PHONE (480) 362-7935

CONSENT AND RELEASE OF TESTING

I consent freely and voluntarily to the collection and testing of my urine. I hereby release and hold harmless Salt River Pima-Maricopa Indian Community (SRPIMC), its employees and agents, for any liability whatsoever arising from this request to furnish my specimens, the testing of my specimen, and decisions made concerning my application for employment or my continued employment based upon the result of these tests. I further authorize the confidential release of the laboratory results to SRPIMC or designees of SRPIMC.

I understand that I must present all prescription medications that I have taken (within 10 days prior to giving a urine specimen) to the person at the urine collection site for verification and that I must ascertain that prescription verification has been properly noted. If I should test positive for a prescription medication and there is no record of verification of prescriptions, I understand that my test will be considered positive and that I will not be eligible for a position with SRPIMC.

I have read and understand the above.

Richard Simeonoff
Signature

Richard Simeonoff
Print Name

Parent Signature (if applicant is under 18 years of age)

10/02/2022

Date

480-982-9419

Phone

Date

NOTE: Page 1&3 to be signed

Results: _____

Date Received: _____

1 IN THE MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT
2 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
3 HON. PAUL I. METZLER, JUDGE DIVISION NO. 152
4
5 THE PEOPLE OF THE STATE OF CALIFORNIA, No. A-705642
6 Plaintiff,
7 -VS-
8
9 RICHARD EDWARD SIMONOFF,
10
11 Defendant
12
13 -000-
14 REPORTER'S TRANSCRIPT OF PRELIMINARY EXAMINATION
15 TUESDAY, JUNE 17, 1986
16 -000-
17
18 APPEARANCES:
19 FOR THE PLAINTIFF: SHELLIE SAMUELS,
20 DEPUTY DISTRICT ATTORNEY
21 FOR THE DEFENDANT: PETER KRUPINSKY,
22 DEPUTY PUBLIC DEFENDER
23
24 -000-
25
26 HTA: 7/1/86 PAMELA J. BISSON, RPR, CSR 4500
27 DEPT. NV-I (SF) OFFICIAL REPORTER
28
ORIGINAL

FILED

JUN 20 1986

FRANK S. ZOLIN, COUNTY CLERK

BY [Signature] DEPUTY

1 LOS ANGELES, CALIFORNIA: TUESDAY, JUNE 17, 1986, 10:43 A.M.

2 -000-

3 THE COURT: IS THIS MR. SIMEONOFF?

4 MR. KRUPINSKY: YES, YOUR HONOR.

5 THE COURT: STATE OF CALIFORNIA VERSUS RICHARD ETHAN
6 SIMEONOFF, 705642.

7 THE CO-DEFENDANT'S PRELIMINARY HEARING IS SET FOR
8 JULY 10TH. ANY CHANCE OF YOUR CLIENT WAIVING TIME TO THAT
9 DATE?

10 MR. KRUPINSKY: NO, YOUR HONOR. WE'VE ALREADY EXPLORED
11 THAT POSSIBILITY AND WE'RE READY TO PROCEED.

12 THE COURT: HOW ABOUT IF HE HAD AN O.R.?

13 MR. KRUPINSKY: ABSOLUTELY, BUT I BELIEVE THERE'S GOING
14 TO BE AN OBJECTION.

15 THE COURT: PEOPLE?

16 MS. SAMUELS: WE'D OBJECT TO AN O.R. WE'D EVEN OBJECT TO
17 A BAIL REDUCTION.

18 THE COURT: ALL RIGHT. IF THERE'S GOING TO BE AN
19 OBJECTION, I DON'T WANT TO LOOK AT THE REPORT, BECAUSE I DON'T
20 WANT IT TO AFFECT MY DECISION IN ANY WAY.

21 ALL RIGHT. ARE YOU READY TO PROCEED, COUNSEL?

22 MR. KRUPINSKY: YES.

23 THE COURT: WAIVE READING OF THE COMPLAINT, STATEMENT OF
24 RIGHTS?

25 MR. KRUPINSKY: YES.

26 THE COURT: CALL YOUR FIRST WITNESS.

27 MS. SAMUELS: WE'VE ASKED DEFENSE ATTORNEY AND HE SAID
28 IT'S OKAY IF WE CLEAR THE COURTROOM FOR THIS. IT'S A VERY

1 SENSITIVE CASE AND WE'D ASK IF EVERYONE ELSE CAN BE ASKED TO
2 WAIT OUTSIDE.

3 THE COURT: ALL PERSONS, EXCEPT THOSE INVOLVED IN THE
4 RICHARD ETHEL SIMEONOFF CASE, PLEASE WAIT OUTSIDE. THERE'S
5 BEEN A MOTION TO CLEAR THE COURTROOM.

6 MR. SIMEONOFF, IS THAT YOUR DESIRE, TO HAVE THE
7 COURTROOM CLEARED DURING THE PRELIMINARY HEARING?

8 THE DEFENDANT: YES.

9 THE COURT: COUNSEL, DO YOU JOIN?

10 MR. KRUPINSKY: YES.

11 (THE COURTROOM WAS CLEARED AND THE
12 FOLLOWING PROCEEDINGS WERE HELD:)

13 THE COURT: THE COURTROOM HAS BEEN CLEARED, WITH THE
14 EXCEPTION OF THE DEFENDANT'S UNCLE.

15 MS. SAMUELS: THANK YOU.

16 THE PEOPLE CALL KERRY HERTA.

17 THE BAILIFF: RAISE YOUR RIGHT HAND AND FACE THE CLERK.

18 THE CLERK: YOU DO SOLEMNLY SWEAR THAT THE TESTIMONY YOU
19 MAY GIVE IN THE CAUSE NOW PENDING BEFORE THIS COURT SHALL BE
20 THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP
21 YOU GOD.

22 THE WITNESS: YES, I DO.

23 THE CLERK: PLEASE BE SEATED.

24

25 KERRY HERTA,

26 CALLED AS A WITNESS BY THE PEOPLE, WAS SWORN AND TESTIFIED AS
27 FOLLOWS:

28 THE CLERK: PLEASE STATE AND SPELL YOUR NAME.

1 THE WITNESS: KERRY, K-E-R-R-Y, HERTA, H-E-R-T-A.

2 THE COURT: IS YOUR MOTHER HERE?

3 THE WITNESS: SHE'S OUTSIDE.

4 THE COURT: WOULD YOU LIKE HER TO BE IN HERE WITH YOU?

5 THE WITNESS: (SHAKES HEAD IN THE NEGATIVE.)

6 THE COURT: YOU HAVE THE RIGHT TO HAVE HER HERE, IF YOU
7 SO DESIRE.

8 THE WITNESS: NO.

9 THE COURT: IF, WHILE YOU'RE TESTIFYING, YOU FEEL YOU'D
10 LIKE HER TO COME IN, LET ME KNOW AND WE'LL HAVE HER COME IN.

11 ALL RIGHT. MS. SAMUELS, YOU MAY PROCEED.

12 MS. SAMUELS: THANK YOU.

13

14 DIRECT EXAMINATION

15 BY MS. SAMUELS:

16 Q KERRY, HOW OLD ARE YOU?

17 A THIRTEEN.

18 Q ARE YOU NERVOUS?

19 A A LITTLE.

20 Q OKAY. RELAX.

21 ON MAY 18TH, 1986, WERE YOU WITH YOUR FRIEND,

22 MICHELLE REYNOLDS?

23 A YES.

24 Q AND AT ABOUT 8:00 O'CLOCK THAT EVENING OR 10 TO
25 8:00 THAT EVENING, WHAT WERE YOU AND MICHELLE DOING?

26 A WALKING HOME.

27 Q OKAY. WALKING FROM WHERE TO WHERE?

28 A FROM HER HOUSE TO MY HOUSE.

1 Q HOW FAR IS IT FROM HER HOUSE TO YOUR HOUSE?

2 A IF YOU WALK, IT'S ABOUT FIVE MINUTES.

3 Q FIVE MINUTES?

4 A UH-HUH.

5 Q YOU HAVE TO SAY "YES" OR "NO," BECAUSE THE COURT
6 REPORTER CAN'T TAKE DOWN "HUH-UH."

7 A OKAY.

8 Q OKAY?

9 THE COURT: INSTEAD OF NODDING YOUR HEAD OR SHAKING YOUR
10 HEAD, TRY TO REMEMBER TO SAY "YES" OR "NO."

11 THE WITNESS: OKAY.

12 THE COURT: NO ONE IS HERE TO EMBARRASS YOU OR MAKE YOU
13 NERVOUS. AND IF AT ANY TIME YOU WANT TO STOP AND GET A DRINK
14 OF WATER OR JUST TAKE A REST, YOU LET ME KNOW. OKAY?

15 THE WITNESS: OKAY.

16 THE COURT: THERE'S NO PROBLEM WITH SAYING, "I'D LIKE TO
17 STOP FOR A FEW MINUTES." JUST REMEMBER TO SAY "YES" OR "NO."

18 THE WITNESS: OKAY.

19 BY MS. SAMUELS:

20 Q WHEN YOU LEFT MICHELLE'S HOUSE, WERE YOU INTENDING
21 TO WALK THE WHOLE WAY TO YOUR HOUSE WITH MICHELLE?

22 A NO.

23 Q WHAT WAS THE PLAN?

24 A SHE WOULD WALK ME HALF WAY, THEN I'D WALK THE REST
25 MYSELF.

26 Q THAT EVENING, DID YOU INTEND TO WALK THE REST OF
27 THE WAY YOURSELF, OR DID YOU INTEND TO BE PICKED UP?

28 A MY MOM WAS GOING TO MEET ME ON THE PASEO.

1 Q ON THE PASEO?

2 A YES.

3 Q AND IS THAT A SHOPPING AREA OR IS THAT A STREET?

4 A IT'S LIKE A LITTLE WALKWAY.

5 Q I'M SORRY. I DIDN'T HEAR YOU.

6 A IT'S A WALKWAY.

7 Q AND IS THAT WALKWAY ABOUT HALFWAY BETWEEN YOUR
8 HOUSE AND MICHELLE'S HOUSE?

9 A YES.

10 Q AND AS YOU WERE WALKING FROM MICHELLE'S HOUSE,
11 BEFORE YOU GOT TO THE POINT WHERE YOUR MOTHER WAS GOING TO
12 MEET YOU, DID YOU TAKE A SHORTCUT?

13 A YES.

14 Q AND DID THAT SHORTCUT TAKE YOU BEHIND AN ALPHA BETA
15 MARKET ON LYONS AVENUE?

16 A YES.

17 Q IS THAT IN THE CITY OF NEWHALL, IN THE COUNTY OF
18 LOS ANGELES?

19 A YES.

20 Q AS YOU AND MICHELLE GOT BEHIND THE MARKET, WAS THAT
21 ABOUT 8:00 O'CLOCK IN THE EVENING?

22 A YES.

23 Q DID SOMETHING UNUSUAL HAPPEN TO YOU BEHIND THE
24 MARKET?

25 A YES.

26 Q WHAT WAS THE VERY FIRST THING THAT HAPPENED THAT
27 LET YOU KNOW THAT SOMETHING WAS GOING ON?

28 A WE MET TWO PEOPLE AND THEY WERE DRUNK.

1 Q I'M SORRY, YOU MET TWO PEOPLE AND THEY WERE DRUNK?

2 A YES.

3 Q WERE THESE PEOPLE MALE OR FEMALE?

4 A MALE.

5 Q AND WOULD YOU RECOGNIZE THOSE PEOPLE IF YOU SAW
6 THEM AGAIN?

7 A YES.

8 Q IS EITHER ONE OR BOTH OF THOSE PEOPLE IN THE
9 COURTROOM TODAY?

10 A ONE.

11 Q COULD YOU PLEASE POINT TO THAT ONE AND DESCRIBE
12 WHAT HE'S WEARING TODAY?

13 A HE'S WEARING A RED SHIRT (POINTING).

14 THE COURT: INDICATING MR. SIMEONOFF.

15 BY MS. SAMUELS:

16 Q WHERE WERE YOU WHEN YOU AND MICHELLE MET
17 MR. SIMEONOFF AND THE OTHER PERSON?

18 A WE WERE AT A BUILDING BY A PARKING LOT AND WE WERE
19 TURNING THE CORNER.

20 Q OKAY. AND WHEN YOU CAME UPON THEM, DID YOU GREET
21 THEM, OR WHAT WAS THE VERY FIRST THING THAT HAPPENED WHEN YOU
22 MET THEM?

23 A THEY INTRODUCED THEMSELVES.

24 Q OKAY. AND WHAT DID YOU DO WHEN THEY INTRODUCED
25 THEMSELVES?

26 A WE INTRODUCED OURSELVES.

27 Q OKAY. AND WHAT WAS THE NEXT THING THAT HAPPENED?

28 A THEY STARTED TALKING ABOUT WHAT THEY WERE DOING.

1 Q WHAT THEY WERE DOING IN RELATION TO YOU, OR JUST
2 WHAT THEY WERE DOING?

3 A NO. IN GENERAL, WHY THEY WERE THERE.

4 Q AT SOME POINT DID YOU -- OKAY, WHAT WAS THE NEXT
5 THING THAT HAPPENED AFTER THAT?

6 A AND THEN HE PUT HIS ARM AROUND ME.

7 Q WHEN YOU SAY "HE," ARE YOU TALKING ABOUT THE
8 DEFENDANT?

9 A YES.

10 Q WHEN HE PUT HIS ARM AROUND YOU, WHAT PART OF YOUR
11 BODY DID HE PUT HIS ARM AROUND?

12 A MY WAIST.

13 Q DID YOU LET HIM OR DID YOU FIGHT HIM?

14 A I DIDN'T KNOW WHAT TO DO, SO I JUST LET HIM.

15 Q WHAT HAPPENED AFTER HE PUT HIS ARM AROUND YOUR
16 WAIST?

17 A WELL, THEN WE JUST STOOD THERE FOR A WHILE AND I
18 JUST STARTED LOOKING AT MY FRIEND AND HIS FRIEND DID THE SAME
19 THING TO MY FRIEND.

20 Q PUT HIS ARM AROUND MICHELLE'S WAIST?

21 A YES.

22 Q AFTER YOU STOOD THERE AWHILE AND YOU LOOKED AT YOUR
23 FRIEND, WHAT WAS THE NEXT THING THAT HAPPENED?

24 A THEN HE STARTED KISSING ME.

25 Q OKAY, WAS HE KISSING YOU ON THE MOUTH?

26 A YES.

27 Q AND HOW WAS HE KISSING YOU? IS THERE A NAME FOR
28 THE WAY THAT HE WAS KISSING YOU?

1 A YES.

2 Q WHAT IS IT? DON'T BE EMBARRASSED. WE'VE ALL HEARD
3 IT BEFORE, BELIEVE ME.

4 A HE FRENCHED ME.

5 Q DOES THAT MEAN HE PUT HIS TONGUE INTO YOUR MOUTH?

6 A YES.

7 Q DID YOU LET HIM OR DID YOU TRY TO STOP HIM. OR HOW
8 DID YOU REACT?

9 A WELL, I JUST STOOD THERE WHILE HE WAS. I DIDN'T
10 KNOW WHAT TO DO.

11 Q HOW LONG DID THAT GO ON FOR, THE FRENCH KISSING?

12 A HALF A MINUTE, LESS THAN THAT.

13 Q DID YOU SAY ANYTHING TO HIM BEFORE OR AFTER HE DID
14 THAT?

15 A I SAID I HAD TO GO HOME.

16 Q DID YOU SAY THAT BEFORE OR AFTER?

17 A AFTER.

18 Q AND WHAT HAPPENED AFTER HE KISSED YOU AND YOU SAID
19 YOU HAD TO GO HOME? WHAT WAS THE NEXT THING THAT HAPPENED?

20 A I STOOD THERE AND I SAW MY FRIEND WITH THAT OTHER
21 GUY AND THEN SHE PULLED ME OVER TO THE SIDE AND SHE WAS
22 TALKING TO ME ABOUT HOW TO GET HOME.

23 Q AFTER YOU WENT OVER TO THE SIDE AND TALKED WITH
24 MICHELLE FOR SOME AMOUNT OF TIME, WHAT DID YOU DO AFTER THAT?

25 A THEN WE TURNED AROUND AND THEY WERE STANDING RIGHT
26 NEXT TO US AND WE SAID, "NOW WE HAVE TO GO HOME."

27 Q WHAT HAPPENED AFTER YOU SAID THAT?

28 A THEN THEY SAID, WHICH WAY DO WE HAVE TO WALK. AND

1 WE TOLD THEM -- WE POINTED ACROSS THE STREET AND I SAID, "WAY
2 UP THERE."

3 Q AT ANY TIME WHILE YOU WERE TALKING TO THEM, DID YOU
4 DISCUSS YOUR AGES?

5 A WELL, AFTER THEY TOLD US THEIR AGES, THEY SAID
6 AROUND 18 OR 19 AND WE DIDN'T BELIEVE THEM, UNTIL HE TOLD ME
7 THEIR REAL AGES AND THAT'S ALL.

8 Q DID YOU EVER DISCUSS YOUR AGE?

9 A WELL, AFTER MICHELLE SAID THAT SHE WAS 13, THEY
10 REALLY DIDN'T BELIEVE HER UNTIL WE GO, "YEAH, WE'RE 13."

11 Q SO YOU DID SAY, "WE'RE 13"?

12 A YES.

13 Q SO WHAT HAPPENED AFTER YOU TOLD THEM THAT YOUR WAY
14 HOME WAS TO WALK ACROSS THE STREET?

15 A THEN THEY SAID, "WELL, YEAH, WE HAVE TO GO
16 ACROSS -- WELL, WE DON'T HAVE TO, BUT" THEY SAID, "WE'LL GO
17 ACROSS, TOO," AND THEY TOOK US BY THE HAND AND WALKED US
18 ACROSS THERE.

19 Q DID YOU WANT TO GO WITH THEM? HOW DID YOU FEEL
20 ABOUT HIM TAKING YOUR HAND AND GOING ACROSS THE STREET WITH
21 YOU?

22 A I DIDN'T WANT TO, BUT I DIDN'T THINK I HAD A
23 CHOICE, REALLY.

24 Q WHAT ABOUT THE SITUATION MADE YOU FEEL LIKE YOU
25 DIDN'T HAVE A CHOICE?

26 A BECAUSE HE WAS HOLDING MY HAND AND JUST STARTED
27 WALKING ACROSS THE STREET, JUST STARTED WALKING.

28 Q DID YOU TRY TO PULL YOUR HAND AWAY?

1 A NOT REALLY.

2 Q HOW TIGHTLY WAS HE GRABBING YOUR -- WAS HE HOLDING
3 YOUR HAND?

4 A PRETTY TIGHT.

5 Q SO HE HELD YOUR HAND AND WALKED ACROSS THE STREET
6 WITH YOU?

7 A YEAH.

8 Q WHAT HAPPENED WHEN YOU GOT TO THE OTHER -- WHAT
9 KIND OF AREA IS IT ACROSS THE STREET FROM WHERE YOU MET?

10 A IT'S A PARK.

11 Q WHAT HAPPENED WHEN YOU GOT ACROSS THE STREET?

12 A WELL, WHEN WE REACHED THE STREET, WE TURNED AROUND
13 AND WAITED FOR MY FRIEND AND THE OTHER GUY TO REACH US ACROSS
14 THE STREET. THEN WE STOOD THERE AND WE WENT BY THIS TREE AND
15 WE WAITED AND WE SAW MY FRIEND AND THE OTHER GUY AND THEY KIND
16 OF WALKED TOWARDS THE MIDDLE OF THE PARK.

17 Q DID YOU REMAIN TOWARD THE OUTSIDE OF THE PARK WITH
18 MR. SIMEONOFF?

19 A YES.

20 Q WHAT WAS THE NEXT THING THAT HAPPENED AFTER YOU SAW
21 YOUR FRIEND AND THE OTHER GUY WALK MORE TOWARDS THE MIDDLE OF
22 THE PARK?

23 A HE STARTED KISSING ME AGAIN.

24 Q IN THE SAME WAY?

25 A YES.

26 Q ALSO FRENCH KISSING?

27 A YES.

28 Q HOW DID YOU REACT NOW WHEN HE DID THAT?

1 A WELL, THIS TIME I GOT REALLY SCARED AND I JUST
2 SAID, "I HAVE TO GO HOME," AND THAT'S ALL I KEPT SAYING.
3 Q YOU SAID THAT MORE THAN ONCE?
4 A YES.
5 Q DID YOU EVER DO ANYTHING ELSE TO SHOW HIM, BESIDES
6 THAT, THAT YOU DIDN'T WANT TO DO THIS ANYMORE? DID YOU PULL
7 AWAY OR SAY SOMETHING ELSE?
8 A I KIND OF STARTED PUSHING HIM OFF A LITTLE BIT
9 LIKE, "I'VE GOT TO GO HOME."
10 Q YOU SAID BEFORE THAT NOW YOU WERE GETTING SCARED.
11 WHAT ABOUT IT NOW MADE YOU SCARED?
12 A WELL, AFTER EVERY TIME I KEPT ON SAYING, "I HAVE TO
13 GO HOME," HE KEPT ON SAYING, "WELL, JUST ONE MORE KISS." ONE
14 MORE THIS AND ONE MORE THAT AND STUFF.
15 Q DURING THE TIME THAT HE WAS KISSING YOU, WHERE WERE
16 HIS HANDS?
17 A JUST ON MY SHOULDERS.
18 Q SO WHAT HAPPENED WHEN YOU WERE OVER IN THE PARK,
19 AFTER HE KISSED YOU AND YOU SAID A NUMBER OF TIMES, "I HAVE TO
20 GO. I HAVE TO GO," WHAT WAS THE NEXT THING THAT HAPPENED?
21 A I KIND OF WIGGLED AROUND A LITTLE AND THEN HE LET
22 ME UP.
23 Q WAIT A MINUTE. WHEN YOU SAY LET YOU UP, WHAT
24 POSITION WERE YOU IN BEFORE HE LET YOU UP?
25 A HE WAS LAYING ON TOP OF ME.
26 Q HOW DID YOU GET ONTO THE GROUND?
27 A WE WERE BOTH STANDING THERE AND HE WAS FACING ME
28 AND HE SAID, "WELL, LET'S SIT DOWN." AND I SAID, "NO, I DON'T

1 WANT TO." AND HE PUT HIS HANDS ON MY SHOULDERS AND KIND OF
2 GAVE ME A LITTLE SHOVE.

3 Q DID YOU FALL DOWN OR DID HE PUSH YOU DOWN?

4 A AFTER HE KIND OF SHOVED ME A LITTLE, I LOST MY
5 BALANCE AND SORT OF FELL.

6 Q DID YOU LAND ON YOUR BUTT, OR DID YOU LAND LAYING
7 DOWN?

8 A ON MY BEHIND.

9 Q WHAT HAPPENED AS YOU WERE SITTING THERE ON YOUR
10 BEHIND?

11 A HE LAID ON TOP OF ME.

12 Q SO, IN OTHER WORDS, YOU WERE SITTING UP. I WANT TO
13 KNOW HOW YOU GOT FROM A SITTING UP POSITION TO A LAYING DOWN
14 POSITION.

15 A HE PUT HIS -- HE STILL HAD HIS HANDS ON MY
16 SHOULDERS, SO HE KIND OF JUST PUSHED ME BACK AND LAID ON TOP
17 OF ME.

18 Q WHAT, IF ANYTHING, HAPPENED WHILE HE WAS LAYING ON
19 TOP OF YOU?

20 A HE KISSED ME AGAIN.

21 Q AND WHERE WERE HIS HANDS AS HE WAS LAYING ON TOP OF
22 YOU AND KISSING YOU?

23 A THEY WERE STILL ON MY SHOULDERS.

24 Q HOW LONG WOULD YOU SAY YOU WERE LAYING ON THE
25 GROUND WITH HIM ON TOP OF YOU?

26 A ABOUT A MINUTE TO TWO MINUTES.

27 Q AND THEN AT THE END OF THAT TIME YOU SAY YOU
28 WIGGLED AWAY? YOU KIND OF SQUIRMED OUT FROM UNDER HIM; IS

1 THAT RIGHT?

2 A I STARTED SQUIRMING TO SEE IF I COULD, BUT THEN HE
3 LET ME UP.

4 Q WHAT HAPPENED AFTER HE LET YOU UP?

5 A THEN I STARTED WALKING OVER TOWARDS MY FRIEND AND
6 HE WAS FOLLOWING IN BACK OF ME.

7 Q AND DID YOU FIND YOUR FRIEND?

8 A YEAH, YES.

9 Q HOW FAR AWAY WAS YOUR FRIEND FROM WHERE YOU AND
10 MR. SIMEONOFF HAD JUST BEEN?

11 A ABOUT 15 FEET.

12 Q AND WHEN YOU GOT TO WHERE YOUR FRIEND WAS, WHAT WAS
13 GOING ON THERE?

14 A THEY WERE STRUGGLING.

15 Q YOU MEAN THE OTHER MAN THAT WAS WITH MR. SIMEONOFF
16 AND YOUR FRIEND MICHELLE WERE STRUGGLING?

17 A YES.

18 Q WERE THEY ON THE GROUND OR WERE THEY STANDING UP?

19 A ON THE GROUND.

20 Q DID THEY HAVE THEIR CLOTHES ON?

21 MR. KRUPINSKY: I'D OBJECT TO THIS. I DON'T THINK THIS
22 IS RELEVANT.

23 THE COURT: SUSTAINED.

24 BY MS. SAMUELS:

25 Q AFTER YOU SAW WHAT WAS GOING ON WITH MICHELLE, WHAT
26 WAS THE NEXT THING THAT YOU DID?

27 A I BACKED AWAY. I WENT A LITTLE OVER SO I WASN'T
28 RIGHT NEXT TO THEM AND I HAD ASKED HIM TO TRY AND GET HIM

1 Q -- HIS FRIEND OFF MY FRIEND.

2 Q WHEN YOU SAID "HIM," YOU ASKED HIM, YOU'RE TALKING
3 ABOUT MR. SIMEONOFF?

4 A YES.

5 Q AND DID HE HELP YOU GET HIS FRIEND OFF OF MICHELLE?

6 A NO.

7 Q WHAT DID YOU DO THEN AFTER ASKING HIM AND NOT
8 GETTING HELP?

9 A I RAN ACROSS THE STREET AGAIN TO SEE IF I COULD SEE
10 ANY OF MY FRIENDS.

11 Q AND DID YOU AT SOME POINT, THEN, FIND YOUR MOTHER?

12 A YES.

13 MS. SAMUELS: NO FURTHER QUESTIONS.

14

15 CROSS-EXAMINATION

16 BY MR. KRUPINSKY:

17 Q HOW FAR IS IT FROM MICHELLE'S HOUSE TO THAT
18 SHOPPING CENTER?

19 A ABOUT TWO OR THREE MINUTES.

20 Q HOW FAR?

21 A TWO OR THREE MINUTES.

22 Q WHEN YOU GOT THERE, DO YOU REMEMBER WHERE THESE TWO
23 MEN WERE WHEN YOU FIRST SAW THEM?

24 A YES.

25 Q WHERE WERE THEY?

26 A THEY WERE AROUND THE CORNER FROM A STORE BEHIND A
27 PARKING LOT.

28 Q DO YOU REMEMBER WHAT STORE?

1 A NO.

2 Q WERE THEY RIGHT IN THE PARKING LOT?

3 A YES.

4 Q WERE THERE OTHER PEOPLE IN THE PARKING LOT?

5 A NO.

6 Q THERE WAS NOBODY ELSE THERE?

7 A NO.

8 Q WERE THERE OTHER CARS THERE?

9 A YES.

10 Q DO YOU REMEMBER WHAT THEY WERE DOING WHEN YOU FIRST
11 SAW THEM?

12 A THEY WERE KICKING AROUND A BEER CAN.

13 Q THEY WERE BY THEMSELVES, THEN?

14 A YES.

15 Q DID YOU WALK UP TO THEM, OR DID THEY WALK UP TO
16 YOU?

17 A THEY WALKED UP TO US.

18 Q YOU JUST WERE WALKING BY AT THAT POINT?

19 A YES.

20 Q DO YOU REMEMBER WHAT THE FIRST THING THAT WAS SAID?

21 A NO.

22 Q DO YOU REMEMBER WHO SAID SOMETHING FIRST?

23 A HE DID.

24 Q MR. SIMEONOFF RIGHT HERE?

25 A YES.

26 Q DO YOU REMEMBER WHAT HE SAID?

27 A NO.

28 Q DO YOU REMEMBER WHAT THE VERY NEXT THING THAT

1 HAPPENED WAS?

2 A THEY INTRODUCED THEMSELVES.

3 Q AND DO YOU REMEMBER WHAT THEY SAID?

4 A NO.

5 Q DO YOU REMEMBER THE NAMES AT ALL?

6 A YES.

7 Q WHAT WERE THEY?

8 A RICHARD AND MIKE, I THINK.

9 Q AND THEN YOU INTRODUCED YOURSELVES; IS THAT RIGHT?

10 A YES, BUT NOT BY OUR NAMES.

11 Q WHAT DID YOU SAY?

12 A WELL, WHEN THEY INTRODUCED THEMSELVES, THEY SAID
13 HOW OLD THEY WERE. AND WHEN WE INTRODUCED OURSELVES, WE JUST
14 SAID HOW OLD WE WERE. WE DIDN'T SAY OUR NAMES.

15 Q SO YOU JUST STATED AGES, THEN, RIGHT?

16 A YES.

17 Q DO YOU REMEMBER EXACTLY WHAT YOU SAID?

18 A THIRTEEN.

19 Q DID MICHELLE ALSO SAY 13?

20 A YES.

21 Q WHAT WAS THEIR REPLY TO THAT?

22 A THEY SAID THAT WE DIDN'T LOOK IT.

23 Q WHO SAID THAT?

24 A I DON'T REMEMBER.

25 Q WHAT'S THE VERY NEXT THING THAT HAPPENED?

26 A HE PUT HIS HAND AROUND MY WAIST.

27 Q DID HE SAY ANYTHING BEFORE HE DID THAT?

28 A NO.

1 Q SO THE ONLY THING THAT HE HAD SAID UP TO THAT POINT
2 WAS HIS NAME AND HIS AGE?

3 A YES.

4 Q WHAT'S THE NEXT THING THAT HAPPENED?

5 A HE STARTED KISSING ME.

6 Q YOU DIDN'T RESIST AT THAT POINT, DID YOU?

7 A WELL, NOT REALLY.

8 Q AND HOW LONG WAS HE KISSING YOU AT THAT POINT?

9 A FRENCH.

10 Q NO. HOW LONG WAS HE KISSING YOU AT THAT POINT?

11 A HOW LONG? HALF A MINUTE.

12 Q WHAT HAPPENED AT THE END OF THAT HALF MINUTE?

13 A HE TOOK HIS ARM OFF AROUND MY WAIST AND I TURNED TO
14 LOOK AT MY FRIEND.

15 Q NOW, WERE YOU STILL IN THE PARKING LOT AT THIS
16 POINT?

17 A YES.

18 Q AND YOUR FRIEND WAS STILL RIGHT NEXT TO YOU?

19 A SHE WAS RIGHT ACROSS FROM ME.

20 Q HOW FAR AWAY WAS SHE?

21 A ABOUT FIVE FEET.

22 Q AFTER YOU LOOKED AT YOUR FRIEND, WHAT HAPPENED?

23 A WELL, SHE PULLED ME ASIDE AND STARTED TALKING TO
24 ME.

25 Q NOW, WHEN SHE PULLED YOU ASIDE, WERE YOU AWAY FROM
26 THESE TWO MEN?

27 A YES.

28 Q HOW FAR AWAY?

1 A ABOUT FIVE OR SIX FEET.
2 Q DID YOU SEE WHAT THEY WERE DOING WHILE YOU WERE
3 TALKING?
4 A NO.
5 Q WHAT DID MICHELLE SAY TO YOU?
6 A SHE SAID THAT WE HAVE TO GET GOING AND SHE WAS
7 AFRAID TO STAY WITH THAT GUY ANY LONGER.
8 Q DID YOU SAY ANYTHING?
9 A I AGREED WITH HER.
10 Q WHAT HAPPENED NEXT?
11 A AND THEN WHEN WE TURNED AROUND TO START WALKING
12 AWAY, THEY WERE RIGHT NEXT TO US. THEY STARTED WALKING UP
13 FROM BEHIND US.
14 Q YOU WERE STILL WALKING IN THE SAME DIRECTION THEN?
15 A YES.
16 Q WHAT HAPPENED WHEN YOU FOUND OUT THEY WERE WALKING
17 BEHIND YOU?
18 A WELL, THEN WE TOLD THEM THAT WE HAD TO LEAVE.
19 Q WHO TOLD THEM THAT?
20 A ME AND MY FRIEND.
21 Q BOTH?
22 A YES.
23 Q WHAT WAS THEIR REPLY?
24 A "OKAY."
25 Q WHO SAID THAT?
26 A I DON'T REMEMBER.
27 Q WHAT HAPPENED NEXT?
28 A THEN THEY TOLD US TO POINT OUT WHICH DIRECTION WE

1 HAD TO GO IN. AND THEN AFTER WE SHOWED THEM, THEY TOLD US
2 THAT THEY HAD TO GO IN THAT DIRECTION, TOO.

3 Q OKAY. DID YOU SHOW THEM OR DID MICHELLE SHOW THEM?

4 A I DID.

5 Q WHAT HAPPENED NEXT?

6 A THEN THEY JUST -- JUST TOOK MY HAND AND WE WALKED
7 ACROSS THE STREET.

8 Q HOW FAR WAS IT FROM WHERE YOU WERE STANDING TO GET
9 ACROSS THE STREET?

10 A ABOUT 30 FEET.

11 Q DID YOU OR DID -- STRIKE THAT.

12 WAS THERE ANY CONVERSATION WHILE YOU WERE WALKING
13 ACROSS THE STREET?

14 A NO.

15 Q WAS THERE ANY CONVERSATION BETWEEN MICHELLE AND THE
16 OTHER PERSON?

17 A NOT THAT I KNOW OF.

18 Q THE FOUR OF YOU WERE WALKING TOGETHER?

19 A NO.

20 Q WHERE WERE -- OKAY. YOU AND MR. SIMEONOFF WERE
21 WALKING TOGETHER, RIGHT?

22 A YES.

23 Q WHERE WERE THE OTHER TWO?

24 A THEY WERE A LITTLE BIT IN BACK OF US.

25 Q NOW, WHEN YOU GOT TO THE OTHER SIDE OF THE STREET,
26 WHAT HAPPENED?

27 A ME AND HIM WENT TO A TREE AND MY FRIEND AND HIS
28 FRIEND WENT TO THE MIDDLE OF THE PARK.

1 Q HOW FAR WAS THE TREE -- FROM WHERE YOU GOT TO THE
2 OTHER SIDE OF THE STREET IN THAT TREE, HOW FAR WAS IT?

3 A ABOUT FIVE FEET.

4 Q SO YOU WERE RIGHT NEAR THE STREET, THEN; IS THAT
5 RIGHT?

6 A YES.

7 Q WERE THERE ANY CARS AROUND, BY THE WAY?

8 A YES.

9 Q WAS IT A BUSY STREET?

10 A YES.

11 Q NOW, WHAT HAPPENED WHEN YOU GOT TO THAT TREE?

12 A HE STARTED KISSING ME AGAIN.

13 Q OKAY. WERE YOU BOTH STANDING UP AT THAT POINT?

14 A YES.

15 Q PRIOR TO HIM KISSING YOU, DID HE SAY ANYTHING TO
16 YOU?

17 A NO.

18 Q DID YOU SAY ANYTHING TO HIM?

19 A "I GOT TO GO HOME."

20 Q DID HE REPLY TO THAT?

21 A NO.

22 Q IS THAT ALL YOU SAID TO HIM?

23 A YES.

24 Q HOW LONG DID HE KISS YOU THERE?

25 A ANOTHER HALF A MINUTE.

26 Q DURING THAT HALF A MINUTE, WERE YOU STANDING UP THE
27 ENTIRE TIME?

28 A YES.

1 Q WHAT HAPPENED AT THE END OF THAT HALF MINUTE?
2 A HE ASKED ME TO SIT DOWN.
3 Q WHERE WERE HIS HANDS AT THAT POINT?
4 A MY SHOULDERS.
5 Q WHEN HE ASKED YOU TO SIT DOWN, WHAT HAPPENED NEXT?
6 A I SAID, "NO."
7 Q WHAT'S THE NEXT THING THAT HAPPENED?
8 A HE PUT HIS HANDS ON MY SHOULDERS AND KIND OF DIDN'T
9 PUSH ME DOWN HARD, BUT HE JUST KIND OF GAVE ME A LITTLE SHOVE.
10 Q WHICH DIRECTION DID HE GIVE YOU A LITTLE SHOVE?
11 A DOWNWARD.
12 Q STRAIGHT DOWN?
13 A YES.
14 Q SO HE HAD HIS HANDS ON TOP OF YOUR SHOULDERS?
15 A YES.
16 Q NOW, WHAT HAPPENED WHEN HE GAVE YOU THAT LITTLE
17 SHOVE?
18 A I LOST MY BALANCE.
19 Q DO YOU REMEMBER WHICH DIRECTION YOU FELL?
20 A BACKWARDS.
21 Q NOW, AFTER YOU FELL, DID HE SAY ANYTHING TO YOU?
22 A NO.
23 Q DID YOU SAY ANYTHING TO HIM?
24 A THAT'S ALL I KEPT ON SAYING WAS THAT I HAD TO GO
25 HOME AND THAT I WAS GOING TO GET IN TROUBLE.
26 Q DID YOU SAY THAT AGAIN WHEN YOU WERE ON THE GROUND?
27 A YES.
28 Q DID YOU SAY THAT JUST ONCE?

1 A NO.

2 Q HOW MANY TIMES DID YOU SAY THAT?

3 A A COUPLE.

4 Q TWO?

5 A YES.

6 Q OKAY. WHAT HAPPENED WHEN YOU WERE ON THE GROUND?

7 A I TOLD HIM I HAD TO GO HOME, AND HE SAID, "JUST

8 ONE MORE KISS AND THEN YOU CAN GO."

9 Q OKAY. WHAT HAPPENED NEXT?

10 A THEN HE KISSED ME AGAIN.

11 Q DID HE KISS YOU JUST ONCE WHEN YOU WERE ON THE

12 GROUND?

13 A YES.

14 Q AND WHAT HAPPENED AFTER HE KISSED YOU?

15 A I TOLD HIM AGAIN THAT I HAD TO GO HOME.

16 Q WHAT HAPPENED AFTER YOU SAID THAT?

17 A THEN I STARTED SQUIRMING A LITTLE BIT AND THEN HE

18 GOT UP, THEN I GOT UP.

19 Q HOW LONG WERE YOU SQUIRMING BEFORE HE GOT UP?

20 A JUST A FEW SECONDS.

21 Q AFTER HE GOT UP, DID YOU GET UP IMMEDIATELY?

22 A YES.

23 Q NOW, UP TO THIS POINT, DID YOU SEE WHERE MICHELLE

24 AND THE OTHER PERSON HAD GONE?

25 A I COULD SEE THEM, BUT I COULDN'T SEE WHAT THEY WERE

26 DOING.

27 Q WERE THEY NEARBY TO YOU?

28 A I COULD SEE THEM.

1 Q HOW FAR AWAY WERE THEY FROM YOU?
2 A ABOUT 15 FEET.
3 Q NOW, WHAT'S THE FIRST THING THAT HAPPENED AFTER YOU
4 GOT UP?
5 A I STARTED WALKING OVER TO MY FRIEND.
6 Q WHAT DID MR. SIMEONOFF DO?
7 A HE FOLLOWED IN BACK OF ME.
8 Q NOW, YOU WENT OVER TO WHERE MICHELLE WAS, RIGHT?
9 A YES.
10 Q THEN AT SOME POINT YOU LEFT, THEN? IS THAT RIGHT?
11 A YES.
12 Q WHERE DID YOU GO?
13 A ACROSS THE STREET.
14 Q NOW, WHERE WAS MR. SIMEONOFF WHEN YOU WENT ACROSS
15 THE STREET?
16 A SITTING RIGHT NEXT TO MY FRIEND.
17 Q SO YOU LEFT MR. SIMEONOFF AND YOUR FRIEND?
18 A YES.
19 Q YOU WENT BACK ACROSS THE STREET FROM WHERE YOU
20 CAME, RIGHT?
21 A YES.
22 Q WHERE DID YOU GO?
23 A TO THE BOWLING ALLEY.
24 Q TO THE BOWLING ALLEY?
25 A YES.
26 Q WHAT WAS AT THE BOWLING ALLEY?
27 A I WAS GOING TO SEE IF I COULD FIND ONE OF MY
28 FRIENDS.

1 Q WERE YOU ABLE TO FIND ANY OF YOUR FRIENDS?
2 A I (MOM)?
3 Q WHAT DID YOU DO NEXT?
4 A THEN I WENT TO A PAY PHONE.
5 Q DID YOU CALL SOMEBODY?
6 A I TRIED TO CALL HER MOM.
7 Q WERE YOU ABLE TO CALL HER?
8 A NO.
9 Q WHAT HAPPENED NEXT?
10 A MY MOM STARTED WALKING TO MEET ME, SO I WENT TO THE
11 PLACE WHERE SHE WAS SUPPOSED TO MEET ME AND I SAW HER WALKING.
12 Q DID YOU GO UP TO HER AND TELL HER WHAT HAPPENED?
13 A YES.
14 Q WHAT HAPPENED NEXT?
15 A THEN WE WENT DOWN THE PASEO TO WHERE IT HAPPENED
16 AGAIN.
17 Q YOU AND YOUR MOTHER?
18 A YES.
19 Q DID YOU FIND ANYBODY THERE ONCE YOU GOT THERE?
20 A NO.
21 Q WHAT DID YOU DO NEXT?
22 A WE LOOKED AROUND FOR THEM.
23 Q YOU AND YOUR MOTHER?
24 A YES.
25 Q HOW LONG DID YOU LOOK FOR THEM?
26 A ABOUT FIVE MINUTES.
27 Q WHAT HAPPENED NEXT?
28 A THEN WE WENT ACROSS THE STREET AND I FOUND A COP.

1 Q WAS YOUR MOTHER WITH YOU WHEN YOU FOUND THE
2 OFFICER?

3 A YES.

4 Q NOW, YOU TOLD US EARLIER THAT BOTH OF THESE MEN
5 WERE DRUNK; IS THAT CORRECT?

6 A YES.

7 Q CAN YOU TELL ME WHY YOU THOUGHT THEY WERE DRUNK?

8 A THEY HAD BEER WITH THEM AND THEY WEREN'T WALKING
9 TOO GOOD.

10 Q WERE THEY STAGGERING?

11 A YES.

12 Q COULD YOU SMELL THE BEER ON THEIR BREATH?

13 A YES.

14 Q WERE THEIR EYES BLOODSHOT?

15 A I DON'T REMEMBER.

16 Q WAS THEIR SPEECH AT ALL SLURRED?

17 A NO.

18 Q NOW, OBVIOUSLY AT SOME POINT YOU TOLD THE OFFICER
19 WHAT HAPPENED, RIGHT?

20 A YES.

21 Q AND YOU TOLD THIS OFFICER RIGHT HERE, ALSO, AS TO
22 WHAT HAPPENED, RIGHT?

23 A YES.

24 Q AND YOU TOLD YOUR MOTHER WHAT HAPPENED?

25 A YES.

26 Q WHO ELSE HAVE YOU TOLD ABOUT WHAT HAPPENED?

27 A THE DISTRICT ATTORNEY.

28 Q IS THERE ANYBODY ELSE?

1 A MY FATHER.
2 Q ~~RIGHT?~~
3 A NO.
4 Q ANY FRIENDS OR OTHER FAMILY MEMBERS?
5 A MY BROTHER AND MY SISTER.
6 Q HOW OLD ARE THEY?
7 A MY BROTHER'S 10 AND MY SISTER'S 8.
8 Q IS THERE ANYBODY ELSE?
9 A NO.

10 MR. KRUPINSKY: I HAVE NOTHING FURTHER.
11 THE COURT: ANYTHING ELSE?
12

13 REDIRECT EXAMINATION

14 BY MS. SAMUELS:

15 Q KERRY, AT ANY TIME FROM THE BEGINNING WHEN YOU MET
16 MR. SIMEONOFF BEHIND THE MARKET UNTIL YOU LEFT HIM IN THE
17 PARK, DID HE TOUCH YOU ANYPLACE BESIDES WHERE YOU'VE SAID, THE
18 SHOULDERS AND THE WAIST?

19 A YES.

20 Q WHERE ELSE ON YOUR BODY DID HE TOUCH YOU?

21 A BELOW MY WAIST.

22 Q WHERE BELOW YOUR WAIST?

23 A MY FRONT.

24 Q AT WHAT POINT IN THIS INCIDENT DID HE TOUCH YOU
25 THERE?

26 A WHEN HE WAS KISSING ME THE FIRST TIME.

27 Q WHERE EXACTLY DID HE TOUCH YOU?

28 A IN THE FRONT BELOW MY WAIST.

1 Q WAS IT ON YOUR STOMACH OR WAS IT ON YOUR PRIVATE
2 PARTS?
3 A PRIVATE.
4 Q ON THE OUTSIDE OF YOUR CLOTHES?
5 A YES.
6 Q AT ANY TIME DID HE TOUCH YOU ON THE INSIDE OF YOUR
7 CLOTHES?
8 A NO.
9 MS. SAMUELS: THANK YOU.
10 NO FURTHER QUESTIONS.

11
12 RECROSS-EXAMINATION

13 BY MR. KRUPINSKY:

14 Q DID THIS OCCUR WHEN YOU WERE STILL IN THE PARKING
15 LOT?
16 A YES.
17 Q AND HOW LONG DID HE HAVE HIS HAND BELOW YOUR WAIST?
18 A ABOUT A HALF A MINUTE.
19 Q DID HE HAVE HIS HANDS ON THE OUTSIDE OF YOUR
20 CLOTHING?
21 A YES.
22 Q WAS THIS DURING THE TIME HE WAS KISSING YOU?
23 A YES.
24 Q IS THERE ANY OTHER TIME HE TOUCHED YOU BELOW THE
25 WAIST?
26 A NO.
27 Q IS THERE ANY OTHER TIME HE TOUCHED YOU OTHER THAN
28 ON THE SHOULDER?

1 A NO.

2 MR. KRUPINSKY: I HAVE NOTHING FURTHER.

3 THE COURT: ANYTHING ELSE?

4 MS. SAMUELS: NOTHING FURTHER.

5 THE COURT: THANK YOU, KERRY.

6 YOU MAY STEP DOWN.

7 MS. SAMUELS: MAY SHE BE EXCUSED, YOUR HONOR?

8 THE COURT: ANY OBJECTION?

9 MR. KRUPINSKY: NO OBJECTION.

10 THE COURT: THANK YOU, KERRY. YOU MAY LEAVE IF YOU WISH.

11 (THE WITNESS, HAVING BEEN EXCUSED,

12 LEFT THE COURTROOM.)

13 MS. SAMUELS: PEOPLE REST.

14 THE COURT: ANY MOTIONS OR AFFIRMATIVE DEFENSES?

15 MR. KRUPINSKY: THERE'S NO AFFIRMATIVE DEFENSE, YOUR
16 HONOR.

17 THE ONLY THING I WOULD ASK THE COURT TO CONSIDER IS
18 A REDUCTION TO A 288(A). THE ONLY FORCE THAT'S BEEN TESTIFIED
19 TO HERE IS THE PUSHING ON THE SHOULDERS AND I'M NOT SURE THAT
20 THAT RISES TO THE LEVEL OF THE FORCE CONTEMPLATED IN SECTION
21 288(B). WHAT WAS TESTIFIED TO, IT WAS BASICALLY A GENTLE PUSH
22 AND SHE MORE OR LESS LOST HER BALANCE. I DON'T THINK THERE
23 HAS BEEN ANY FORCE SHOWN.

24 THE COURT: I'M CURIOUS WHY THE LEGISLATURE HAS DIVIDED
25 THIS UP INTO TWO SECTIONS, SINCE THEY PRESCRIBE THE SAME
26 PUNISHMENT, THREE, SIX OR EIGHT FOR EITHER AN A OR B SECTION.

27 MR. KRUPINSKY: I THINK PART OF THAT HAS TO DO WITH
28 PUNISHMENT. I DON'T THINK HE IS ELIGIBLE FOR PROBATION FOR

1 (B), BUT (A) IN CERTAIN INSTANCES HE COULD BE.

2 MS. SAMUELS: AND (B) CAN BE CONSECUTIVE WHERE (A) WOULD
3 NOT BE CONSECUTIVE.

4 AS TO THE FORCE, THE PEOPLE WOULD ARGUE THAT AT THE
5 TIME HE TOLD HER TO SIT DOWN AND SHE SAID, "NO," SHE MADE HER
6 WISHES CLEAR. ALTHOUGH BEFORE THAT, PERHAPS SHE DID NOT MAKE
7 HER WISHES AS CLEAR AS SHE COULD HAVE. HE KNEW SHE WAS 13.
8 HE PUSHED HER. HE DIDN'T PUSH HER HARD, BUT HE PUSHED HER
9 HARD ENOUGH WHERE SHE LOST HER BALANCE. HE MADE HER LAY DOWN
10 AND GOT ON TOP OF HER. GRANTED THIS ISN'T ANY TYPE OF
11 BEATING, BUT I WOULD SAY IT'S CLASSIFIED AS FORCE.

12 THE COURT: MR. KRUPINSKY'S ARGUMENT IS THAT ANY LEWD ACT
13 WAS DONE PRIOR TO THE FORCE BEING USED. I THINK HIS ARGUMENT
14 IS THAT AFTER THE FORCE WAS USED, THAT HE KISSED HER AND HE
15 WAS LYING ON TOP OF HER FOR ABOUT TWO MINUTES, BUT THERE WAS
16 NO TESTIMONY OF ANY OTHER ACTS AFTER THE FORCE WAS USED.
17 THAT'S HIS ARGUMENT.

18 MS. SAMUELS: YOUR HONOR, THE PEOPLE WOULD ARGUE THAT
19 BESIDES THE TOUCHING ON THE OUTSIDE OF THE PANTS, THE LEWD AND
20 LASCIVIOUS ACT WOULD BE THE FRENCH KISSING AND THE PUTTING OF
21 HIS TONGUE INTO HER MOUTH, THE 13-YEAR-OLD'S MOUTH. THAT DID
22 OCCUR WHILE SHE WAS LAYING DOWN AND WHILE HE WAS ON TOP OF
23 HER. I BELIEVE THAT THAT'S ENOUGH TO BE CALLED A LEWD AND
24 LASCIVIOUS ACT. I DON'T THINK HE NEEDS TO GO UNDER HER CLOTHES
25 OR TO FONDLE HER.

26 I THINK THAT IN THIS CASE, THAT KISSING ALONE IS
27 ENOUGH TO CREATE A LEWD AND LASCIVIOUS ACT. AND SINCE IT WAS
28 DONE AFTER HE PUSHED HER DOWN, IT WOULD LEND ITSELF TO THE

1 DEFINITION OF FORCE.

2 I'LL SUBMIT BEYOND THAT.

3 THE COURT: IS THAT LEWD AND LASCIVIOUS, FRENCH KISSING?

4 MR. KRUPINSKY: I BELIEVE THE STATE OF THE LAW IS IT
5 COULD BE CONSTRUED AS THAT.

6 I WOULD ALSO ADVANCE AN ARGUMENT TO THE COURT THAT
7 JUST THE FORCE ITSELF THAT WAS USED IS NOT SUFFICIENT TO RISE
8 TO THE LEVEL OF 288(B). I THINK THE TESTIMONY WAS, AGAIN, NOT
9 THAT HE JUMPED ON HER, BUT THAT HE PUSHED HER. AND I THINK
10 SHE TESTIFIED IT WAS A LITTLE PUSH. IT WAS A GENTLE PUSH, AND
11 SHE LOST HER BALANCE IN THAT PUSH.

12 SO IT DOESN'T SEEM THAT HE PUSHED HER TO THE GROUND
13 AS SUCH, AND I DON'T THINK THERE'S ANY TESTIMONY THAT HE THEN
14 JUMPED ON HER OR ANYTHING OF THAT NATURE. WHEN SHE STARTED
15 SCIRMING, SHE SAID JUST FOR A FEW SECONDS, HE LET HER UP. SO
16 I DON'T THINK THE REQUISITE FORCE HAS BEEN SHOWN.

17 MS. SAMUELS: THE PEOPLE WOULD DIRECT THE COURT'S
18 ATTENTION TO THE CODE WHICH USES FORCE, COMMA, VIOLENCE,
19 COMMA, ET CETERA, AND THEN THE WORD "OR," MAKING IT IN THE
20 CONJUNCTIVE. IN SUCH A WAY, THERE'S NO NEED TO SHOW VIOLENT
21 FORCE, ONLY FORCE. VIOLENCE IS A SEPARATE GROUND TO CHARGE
22 THIS COUNT, TO CHARGE (B) RATHER THAN (A) FORCE.

23 THERE'S NOTHING IN THE CODE THAT SAYS IT HAS TO BE
24 A CERTAIN AMOUNT OF FORCE. AND BY HER STATEMENTS, HE
25 DEFINITELY FORCED HER, IF NOT IN A VERY ROUGH WAY, HE FORCED
26 HER NONETHELESS.

27 THE COURT: WHILE I THINK THE USE OF FORCE WAS MINIMAL
28 AND THAT THE LEWD OR LASCIVIOUS ACT CONSISTING OF THE KISSING

1 WAS OF A MINIMAL TYPE OF LEWD AND LASCIVIOUSNESS, I SUPPOSE
2 IT'S ENOUGH AT A PRELIMINARY HEARING. I DON'T REALLY THINK
3 THAT THE KISSING WAS THAT LEWD AND LASCIVIOUS, BUT BASED ON
4 CASES SAYING IT COULD BE CONSTRUED AS SUCH, I SUPPOSE I'M
5 BOUND BY THAT.

6 ALL RIGHT. THE MOTION TO REDUCE TO 288(A) WILL
7 HAVE TO BE DENIED.

8 IT APPEARING TO ME FROM THE EVIDENCE PRESENTED, THE
9 FOLLOWING OFFENSE HAS BEEN COMMITTED AND THERE IS SUFFICIENT
10 CAUSE TO BELIEVE THE FOLLOWING DEFENDANT GUILTY THEREOF, TO
11 WIT, RICHARD ETHAN SIMEONOFF, COUNT III, A VIOLATION OF
12 SECTION 288(B) OF THE PENAL CODE. I ORDER DEFENDANT BE HELD
13 TO ANSWER THEREFOR AND BE ADMITTED TO BAIL IN THE SUM OF
14 \$5,000 AND BE COMMITTED TO THE CUSTODY OF THE SHERIFF OF
15 LOS ANGELES COUNTY UNTIL SUCH BAIL IS GIVEN.

16 DATE OF ARRAIGNMENT IN THE SUPERIOR COURT WILL BE
17 JULY 1ST, 1986, AT 9:00 A.M., DEPARTMENT I, NORTH VALLEY
18 BRANCH.

19 MR. KRUPINSKY: THANK YOU.

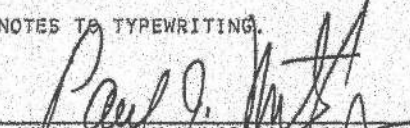
20 MS. SAMUELS: THANK YOU, YOUR HONOR.

21 (THE PROCEEDINGS IN THE ABOVE-ENTITLED
22 MATTER WERE CONCLUDED.)

23 -000-
24
25
26
27
28

1 IN THE MUNICIPAL COURT OF LOS ANGELES JUDICIAL DISTRICT
2 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
3 HON. PAUL I. METZLER, JUDGE DIVISION NO. 132
4 THE PEOPLE OF THE STATE OF CALIFORNIA,)
5 PLAINTIFF,) NO. A-705642
6 -VS-)
7)
8 RICHARD ETHAN SIMEONOFF. DEFENDANT.)

9 I HEREBY CERTIFY THAT ON THE 17TH DAY OF JUNE ,
10 19 86 PAMELA J. BISSON , C.S.R., OFFICIAL REPORTER OF
11 THE ABOVE ENTITLED COURT, WAS ASSIGNED AS SHORTHAND
12 REPORTER TO REPORT THE TESTIMONY AND PROCEEDINGS CONTAINED
13 HEREIN AND DID ACT AS SUCH REPORTER AND WAS BY ME DIRECTED
14 TO REDUCE THE SAID SHORTHAND NOTES TO TYPEWRITING.

15 
16 JUDGE OF THE MUNICIPAL COURT OF
17 LOS ANGELES JUDICIAL DISTRICT,
18 COUNTY OF LOS ANGELES, STATE OF
19 CALIFORNIA

20 I HEREBY CERTIFY THAT I AM AN OFFICIAL SHORTHAND
21 REPORTER OF THE ABOVE ENTITLED COURT; THAT PURSUANT TO THE
22 JUDGE'S CERTIFICATE ABOVE I WAS ASSIGNED TO REPORT AND DID
23 CORRECTLY REPORT THE TESTIMONY AND PROCEEDINGS CONTAINED
24 HEREIN; THAT THE FOREGOING IS A TRUE AND CORRECT
25 TRANSCRIPTION OF MY SAID NOTES AND A FULL, TRUE AND CORRECT
26 STATEMENT OF SAID TESTIMONY AND PROCEEDINGS.

27 
28 OFFICIAL REPORTER, C.S.R. NO. 4500

3 p & s SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date SEPTEMBER 30 1986 HONORABLE JUDGE J. A. GIBSON DEPT. Deputy Clerk Reporter

CASE NO. 7106442 (Parties and counsel checked if present) Counsel for People: S. Samuel DEPUTY DISTRICT ATTY: S. Samuel

CHARGE 27 STEINLEA RICHARD ETHAN 28 & C. JET (BOX CHECKED IF ORDER APPLICABLE) X 118679

NATURE OF PROCEEDINGS 71 ☐ IS SWORN AS THE ENGLISH? 72 ☐ CRIMINAL PROCEEDINGS ADJOURNED/RESUMED. 73 ☐ OATH FILED PER SECTION 68560 GOVERNMENT CODE. 74 ☐ DEFENDANT ORDERED DELIVERED TO DEPARTMENT OF CORRECTIONS PER SECTION 1203.03 PENAL CODE. 75 ☐ ON MOTION, PROBATION AND SENTENCE HEARING/FURTHER PROCEEDINGS CONTINUED TO AT A.M. IN DEPT. 76 ☐ SUPPLEMENTAL PROBATION REPORT/PROGRESS REPORT ORDERED. 77 ☐ PROBATION DENIED / PROCEEDINGS SUSPENDED / SENTENCE IMPOSED AS FOLLOWS: 78 ☐ IMPRISONED IN STATE PRISON FOR TERM PRESCRIBED BY LAW TOTAL OF YEARS MONTHS 79 ☐ COURT SELECTS THE TERM OF YEARS FOR THE BASE TERM AS TO COUNT 80 ☐ PLUS YEAR(S) PURSUANT TO PENAL CODE SECTION 81 ☐ PLUS AS INDICATED IN BOX 87 BELOW 82 ☐ COMMITTED TO CALIFORNIA YOUTH AUTHORITY, THE TERM OF IMPRISONMENT TO WHICH THE DEFENDANT WOULD HAVE BEEN SENTENCED PURSUANT TO SECTION 1170 PENAL CODE IS YEARS 83 ☐ IMPRISONED IN LOS ANGELES COUNTY JAIL FOR TERM OF DAYS 84 ☐ FINED IN SUM OF \$ PLUS ADDITIONAL FINE OF \$ (11372.5 HEALTH & SAFETY CODE) FOR A TOTAL FINE OF \$ PLUS \$ ASSESSMENT AND SURCHARGE (1484 & 1208.8 PENAL CODE) TO BE PAID TO COUNTY CLERK/PROBATION OFFICER IN SUCH MANNER AS HE SHALL PRESCRIBE 85 ☐ PAY RESTITUTION FINE IN SUM OF \$ PURSUANT TO SECTION 13067(a) GOVERNMENT CODE PAYABLE TO 86 ☐ RESTITUTION FUND 87 ☐ PROBATION DEPARTMENT IN SUCH MANNER AS THEY PRESCRIBE 88 ☐ SAID FINE TO BE STAYED WHILE DEFENDANT PAYS RESTITUTION AND IF RESTITUTION IS PAID IN FULL, STAY SHALL BE PERMANENT 89 ☐ SENTENCE IS SUSPENDED: 90 ☐ PROBATION GRANTED FOR A PERIOD OF 60 3 YEARS 91 ☐ PROBATION TO BE WITHOUT FORMAL SUPERVISION. 92 ☐ SPEND FIRST DAYS IN COUNTY JAIL 93 ☐ ROAD CAMP OR HONOR FARM RECOMMENDED 94 ☐ WORK FURLOUGH PROGRAM RECOMMENDED 95 ☐ NOT TO BE ELIGIBLE FOR COUNTY PAROLE 96 ☐ MINIMUM PAYMENT OF FINE/RESTITUTION TO BE \$ 97 ☐ MAKE RESTITUTION OF \$ TO THE VICTIM/RESTITUTION FUND PURSUANT TO SECTION 1203.04 98 ☐ PENAL CODE IN SUCH MANNER AS THE PROBATION OFFICER SHALL PRESCRIBE 99 ☐ TOTAL AMOUNT OF RESTITUTION TO INCLUDE 2% SERVICE CHARGE AS AUTHORIZED BY SECTION 279 WELFARE & INST. CODE 100 ☐ NOT DRINK ANY ALCOHOLIC BEVERAGE AND STAY OUT OF PLACES WHERE THEY ARE THE CHIEF ITEM OF SALE 101 ☐ NOT USE OR POSSESS ANY NARCOTICS, DANGEROUS OR RESTRICTED DRUGS OR ASSOCIATED PARAPHERNALIA, EXCEPT WITH VALID PRESCRIPTION, AND STAY AWAY FROM PLACES WHERE USERS CONGREGATE 102 ☐ NOT ASSOCIATE WITH PERSONS KNOWN BY YOU TO BE NARCOTIC OR DRUG USERS OR SELLERS 103 ☐ SUBMIT TO PERIODIC ANTI-NARCOTIC TESTS AS DIRECTED BY THE PROBATION OFFICER, SUCH TESTING TO BE SUSPENDED WHILE THE DEFENDANT IS IN CUSTODY, IS HOSPITALIZED, OR IS IN A RESIDENTIAL DRUG TREATMENT PROGRAM APPROVED BY PROBATION OFFICER 104 ☐ HAVE NO BLANK CHECKS IN POSSESSION, NOT WRITE ANY PORTION OF ANY CHECKS, NOT HAVE BANK ACCOUNT UPON WHICH YOU MAY DRAW CHECKS 105 ☐ NOT GAMBLE OR ENGAGE IN BOOKMAKING ACTIVITIES OR HAVE PARAPHERNALIA THEREOF IN POSSESSION, AND NOT BE PRESENT IN PLACES WHERE GAMBLING OR BOOKMAKING IS CONDUCTED 106 ☐ NOT ASSOCIATE WITH 107 ☐ COOPERATE WITH PROBATION OFFICER IN A PLAN FOR 108 ☐ SUPPORT DEPENDENTS AS DIRECTED BY PROBATION OFFICER 109 ☐ SEEK AND MAINTAIN TRAINING, SCHOOLING OR EMPLOYMENT AS APPROVED BY PROBATION OFFICER 110 ☐ MAINTAIN RESIDENCE AS APPROVED BY PROBATION OFFICER 111 ☐ SURRENDER DRIVER'S LICENSE TO CLERK OF COURT TO BE RETURNED TO DEPARTMENT OF MOTOR VEHICLES 112 ☐ NOT DRIVE A MOTOR VEHICLE UNLESS LAWFULLY LICENSED AND INSURED 113 ☐ NOT OWN, USE OR POSSESS ANY DANGEROUS OR DEADLY WEAPONS 114 ☐ SUBMIT PERSON AND PROPERTY TO SEARCH OR SEIZURE AT ANY TIME OF THE DAY OR NIGHT BY ANY LAW ENFORCEMENT OFFICER WITH OR WITHOUT A WARRANT 115 ☐ OBEY ALL LAWS, ORDERS, RULES AND REGULATIONS OF THE PROBATION DEPARTMENT AND OF THE COURT 116 ☐ DEFENDANT TO BE GIVEN CREDIT FOR DAYS IN CUSTODY (INCLUDES DAYS GOOD TIME/WORK TIME) 117 ☐ SENTENCE/COUNTS TO RUN CONSECUTIVELY TO/CONCURRENTLY WITH 118 ☐ STAY OF EXECUTION OF 119 ☐ GRANTED TO 120 ☐ ON MOTION OF PEOPLE, COUNTS 121 ☐ COURT ADVISES DEFENDANT OF HIS APPEAL/PAROLE RIGHTS 122 ☐ "NOTICE RE CERTIFICATE OF REHABILITATION AND PARDON" GIVEN TO DEFENDANT 123 ☐ DEFENDANT TO PAY COSTS OF PROBATION SERVICES IN AMOUNT OF \$ 124 ☐ COURT FINDS THAT DEFENDANT DOES NOT HAVE THE PRESENT ABILITY TO PAY COSTS OF INCARCERATION/LEGAL SERVICES RENDERED/PROBATION SERVICES RENDERED 125 ☐ FURTHER ORDER AS FOLLOWS/ADDITIONAL CONDITIONS OF PROBATION: 126 ☐ SHERIFF IS ORDERED TO ALLOW DEFENDANT PHONE CALLS AT DEFENDANT'S OWN EXPENSE 127 ☐ DEFENDANT FAILS TO APPEAR WITH/WITHOUT SUFFICIENT EXCUSE 128 ☐ BAIL, IF POSTED, FORFEITED/O.R. REVOKED. BENCH WARRANT ORDERED ISSUED/REISSUED/AND HELD UNTIL 129 ☐ NO BAIL/BAIL FIXED AT \$ 130 ☐ DEFENDANT APPEARING BENCH WARRANT ORDERED RECALLED/QUASHED 131 ☐ RECALL NO. 132 ☐ WRITTEN 133 ☐ ABSTRACT FILED 134 ☐ REMANDED 135 ☐ BAIL 136 ☐ BAIL EXON. 137 ☐ BOND NO. 138 ☐ ON PROBATION 139 ☐ MINUTES ENTERED 140 ☐ RELEASED 141 ☐ O.R. 142 ☐ O.R. DISCHARGED 143 ☐ COUNTY CLERK 3 p & s

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILED

SEP 02 1986
FRANK S. ZOLIN, COUNTY CLERK
BY John DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. NV-I HON. RONALD S. W. LEW, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,)	
Plaintiff,)	
vs.)	NO. A 705642
RICHARD ETHAN SIMEONOFF,)	PLEA
Defendant.)	

LOS ANGELES, CALIFORNIA; WEDNESDAY, AUGUST 20, 1986; 10:10 A.M.

Upon the above date, the defendant being present in court with his counsel, PETER KRUPINSKI, Deputy Public Defender of Los Angeles County; the People being represented by STEVEN OGDEN, Deputy District Attorney of Los Angeles County, the following proceedings were held:

(Lucille M. Litsheim, Official Reporter, CSR 2409.)

---oOo---

THE COURT: Mr. Simeonoff come forward. Number 201 on calendar, People versus Richard Simeonoff. He is in court with Mr. Krupinski, the People are represented.

1 The matter is here for trial setting. I understand
2 that there is a disposition; is that correct?

3 MR. KRUPINSKI: That's correct.

4 THE COURT: State the disposition.

5 MR. OGDEN: Your Honor, I have indicated to Mr.
6 Simeonoff or at least to his lawyer that Mr. Simeonoff would
7 be allowed to enter a plea to 647(a), a misdemeanor, with no
8 promises as to sentence. Sentence varies from zero to 180
9 days in the county jail.

10 I have discussed this matter with Miss Samuels, who
11 is the district attorney who filed the case. She indicated to
12 me that she considers that an appropriate disposition.

13 THE COURT: One moment.

14 I really didn't hear you.

15 MR. OGDEN: I'll restate. I discussed this matter with
16 Mr. Krupinski and I've indicated that I'll consider a plea to
17 647(a) to be an appropriate plea. I discussed this matter
18 with Miss Samuels, who is the district attorney who filed the
19 case and who presented the testimony at the preliminary
20 hearing. I frankly do not feel that the -- I feel it's an
21 appropriate disposition.

22 THE COURT: The 647(a) is a misdemeanor.

23 MR. OGDEN: Yes, Your Honor.

24 THE COURT: Is it to be a lesser included to Count 1 or
25 is it to Count 2?

26 MR. OGDEN: I would stipulate it's a lesser included and
27 necessarily included offense.

28 MR. KRUPINSKI: That is fine. It thereby is a

1 stipulation a lesser included, or lesser offense to Count 1,
2 288(b).

3 Take the plea.

4 MR. OGDEN: Richard Ethan Simeonoff, is that your true
5 name?

6 THE DEFENDANT: Yes.

7 MR. OGDEN: Have you been following the conversation
8 that has been taking place in court around you, Mr. Simeonoff?

9 THE DEFENDANT: Umm, no.

10 MR. OGDEN: You can take your dark glasses off if you
11 like.

12 MR. KRUPINSKI: He has a problem with his eyes.

13 MR. OGDEN: Fine.

14 Have you been following the conversation?

15 MR. KRUPINSKI: No, sir.

16 MR. OGDEN: Has your attorney indicated to you that the
17 prosecution has extended to you the opportunity to plead
18 guilty to a lesser offense, called 647(a), which is basically
19 committing prohibitive acts in a public place?

20 THE DEFENDANT: Yes.

21 MR. OGDEN: Do you understand the nature of that plea,
22 Mr. Simeonoff?

23 THE DEFENDANT: Yes.

24 MR. OGDEN: Do you understand you have a right to a
25 trial by jury in this case?

26 THE DEFENDANT: Yes.

27 MR. OGDEN: That by entering this plea, you will not
28 have the chance to exercise your constitutional right to a

1 trial by jury?
2 THE DEFENDANT: Yes.
3 MR. OGDEN: Do you give up your right to a trial by jury?
4 THE DEFENDANT: Yes.
5 MR. OGDEN: Do you give up your right to confront and
6 have your lawyer cross-examine the witnesses who would be
7 called to court by the prosecution to testify against you?
8 THE DEFENDANT: Yes.
9 MR. OGDEN: Do you understand by pleading guilty that
10 you are giving up your right on the issue of your innocence or
11 guilt.
12 THE DEFENDANT: Yes.
13 MR. OGDEN: Do you give up that right?
14 THE DEFENDANT: Yes.
15 MR. OGDEN: Do you give up your right against self-
16 incrimination, understanding that by entering this plea, you
17 will be incriminating yourself?
18 THE DEFENDANT: Yes.
19 MR. OGDEN: Do you waive your right against self-
20 incrimination?
21 THE DEFENDANT: Yes.
22 MR. OGDEN: I should advise you that you'll be on
23 probation depending on the sentence imposed by Judge Lew. I
24 do not know what sentence he will impose. The range is zero
25 to 180 days in the county jail and a fine of up to, I believe,
26 a thousand dollars.
27 Do you understand that, Mr. Simeonoff?
28 THE DEFENDANT: Yes.

1 MR. OGDEN: You could also be on probation, which means
2 that while you're on probation, the balance of the penalty, if
3 any, would be hanging over your head and if you violate
4 probation while you're on probation, you could then do the
5 rest of 180 days in the county jail and you could receive the
6 rest of the fine.

7 Do you understand that?

8 THE DEFENDANT: Yes.

9 MR. OGDEN: With all that in mind, do you still desire
10 to enter this plea of guilty?

11 THE DEFENDANT: Yes.

12 MR. OGDEN: Counsel join in the change of plea, the
13 waiver of rights?

14 MR. KRUPINSKI: Yes.

15 MR. OGDEN: And you were representing the defendant at
16 the preliminary hearing?

17 MR. KRUPINSKI: Yes.

18 MR. OGDEN: Based upon your representation, do you find
19 there is a factual basis for the plea?

20 MR. KRUPINSKI: Yes.

21 MR. OGDEN: Richard Ethan Simeonoff, to the charge of
22 violating Penal Code Section 647(a), a lesser necessarily
23 included and related offense, how do you now plead?

24 THE DEFENDANT: Guilty.

25 THE COURT: The court accepts the plea of guilty to
26 647(a) of the Penal Code as a misdemeanor. The court finds
27 the defendant does understand the nature of the charge as to
28 Count 1 and the consequence of the plea. The plea was entered

1 freely and voluntarily; there is a factual basis for the plea
2 and all waivers were knowingly, intelligently and
3 understandingly made.

4 The 28th day for sentence is September 17. I am
5 trying to not set on that date. Would the 18th or 19th be a
6 better date?

7 MR. KRUPINSKI: Why don't we put it over for a couple of
8 weeks because I'm on vacation shortly thereafter.

9 THE COURT: September --?

10 MR. KRUPINSKI: September 30.

11 THE COURT: You have a right to be sentenced by
12 September 17, 1986. Do you agree at the request of your
13 attorney to have the probation and sentence be set September
14 30, 1986, in this court?

15 THE DEFENDANT: Yes.

16 THE COURT: See you back here on the 30th of September,
17 sir.

18 MR. KRUPINSKI: Thank you, Your Honor.

19 MR. OGDEN: May the record reflect that Miss Samuels was
20 setting here while I took the plea and concurs.

21 MS. SAMUELS: I concur.

22 MR. OGDEN: Thank you, Miss Samuels.

23 (Continued to September 30, 1986.)
24
25
26
27
28

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT NO. NV-1 HON. RONALD S. W. LEW, JUDGE
4
5 THE PEOPLE OF THE STATE OF CALIFORNIA,)
6 Plaintiff,)
7 vs.) NO. A 705642
8 RICHARD ETHAN SIMEONOFF,) REPORTER'S
9 Defendant.) CERTIFICATE
10
11
12 I, LUCILLE M. LITSHEIM, Official Reporter of the
13 Superior Court, State of California, for the County of Los
14 Angeles, do hereby certify that the foregoing is a true and
15 correct transcript of all of the admonitions given and waivers
16 and admissions taken at the time of the plea in the above-
17 entitled cause.
18 Dated this 26th day of August, 1986.
19
20 *Lucille M. Litsheim*
21 LUCILLE M. LITSHEIM, CSR No. 2409
22 Official Reporter
23
24
25
26
27
28

Santa Claus died :)1.

Castaic lake to jail2.

The Crim files and more3.

the sentence4.

Copyright © 2024 by Rich Ard

Santa Claus died :)

well looks like santa died, I was thinking, I wonder what this human clown is doing these days. I see he hath suffered enough just looking at his posts. sad to see someone suffer their whole lives to die alone. But for the grace of God there go EYE> haha I am sure someone loved the miserable fuck. last time i checked over 5 years ago I could see he was a fat miserable fuck. ok not nice to damn the dead. RIP santa good riddance. you know I had pledged to kill this man, that night on the hill after having my eye poked out. this that and the other. I had a double whammy at the same time or fate would have been much worse for me. I have lived a good life, raised children and still looking forward to more adventures and the future. but for the grace of god there go I, that

is true. I didn't even know who i was when I was not drinking, just wanting to drink, the dry drunk like started out after my son richard was born and continued until I went to AA meetings and the higher power gave me freedom from suffering. I dont look over my back, my conscience is clear. I really had forgiven everyone, but you know what? there is always that shadow lurking in our subconscious. a peaceful easy feeling is much better than to feed revenge and hate. I did some housecleaning on facebook. guilty by association. really felt kinda good? well really most i never said a word. some just always felt the hate. anyway this is a temp post, but It be in the complete e book, I plan on writing ebooks so when this site gets deleted, it will live on. I will post them on Ancestry and other places to live on long after I have left this world.

The_Signal_1986_09_19_1

The_Signal_1986_09_19_3

James-Bauer-10-wall (1)

eook pirate man



eook pirate man

eook pirate man



eook pirate man

<https://www.newspapers.com/image/334623761/>

The Signal (Santa Clarita, California) · Fri, Sep 19, 1986 · Page 1 Downloaded on Jun 28, 2024

Clipped By:

rsimeonoff55 Invalid Date

Copyright © 2024 Newspapers.com. All Rights Reserved.



Problems For Good Samaritans

Good Intentions, Big Trouble

By Martin Abbiss
Signal Staff Writer

It may be a very long time before Jeff Sporney stops to help someone in trouble.

Tuesday night he was badly injured when his motorcycle was hit head-on on Bouquet Canyon Road.

And all because Sporney had witnessed what he thought was a kidnapping and followed the assailant to get his license plate number.

Attempted murder charges are expected to be filed today against the man Sporney followed, who allegedly injured Sporney and his own ex-

girlfriend, destroyed Sporney's \$6000 motorcycle and a truck window, and even injured himself after a fight with his former girlfriend.

James Albert Bauer, 29, of Saugus, was arrested Wednesday morning on suspicion of attempted murder, kidnapping, and assault with a deadly weapon at the home he had shared with his girlfriend in the 29800 block of Bouquet Canyon Road in Saugus.

Tuesday night at about 11:30, Bauer and Diana Pilcher, 20, were together when the two began to argue and Pilcher apparently ran away from Bauer, a friend told deputies.

According to the Sheriff's Department report, Bauer bor-

rowed the friend's orange Ford pickup truck to chase Pilcher, who had started running down Bouquet Canyon Road.

Rossann Mosher, 25, of Saugus, was driving her car along Bouquet Canyon in the 29000 block when she saw Pilcher running along the street "waving her hands frantically and screaming for help."

So Mosher stopped her truck and let the girl in.

Out of breath by now, Pilcher screamed, "don't let him get me," over and over to Mosher, as Mosher tried to calm the hysterical girl.

Moments later Bauer, 29, of Saugus, was at the passenger
Continued on page 3

eook pirate man

<https://www.newspapers.com/image/334623802/>

The Signal (Santa Clarita, California) · Fri, Sep 19, 1986 · Page 3 Downloaded on Jun 28, 2024

Clipped By:

rsimeonoff55 Invalid Date

Copyright © 2024 Newspapers.com. All Rights Reserved.



Rescue That Backfired

Continued from Page 1

side of Mosher's truck, banging on the window and screaming at Pilcher.

Mosher told deputies that she tried to move her truck away from Bauer.

But Bauer held fast to the rear-view mirror and was dragged several feet before he allegedly smashed the passenger side window, opened the door and dragged Pilcher out of the cab, the girl screaming all the while.

Witnesses said they saw Bauer drag Pilcher by her hair and shove her into the waiting Ford pickup he had borrowed to chase the girl.

And Jeff Sporney, 21, of Acton, was riding his motorcycle along Bouquet Canyon Road when he saw Bauer drag Pilcher into his truck.

Sporney slowed his Kawasaki Ninja motorcycle and decided to follow the orange truck to get the license number and report to the Sheriff's Department.

Bauer, however, apparently noticed Sporney, abruptly skidded into a U-turn, and ran into Sporney's motorcycle head-on, throwing Sporney into the street.

"He had this crazed look on his face," Sporney later told deputies while paramedics

treated him.

Dazed and cut on his arms and legs, Sporney lay in the street as Bauer turned his truck around again and began to back toward the downed cyclist.

Edward Abrams, 30, of Westlake Village, was also on Bouquet Canyon Road when Sporney and Bauer collided and he saw Bauer turn his truck around and start back for Sporney.

Abrams headed his car toward the motorcyclist and stopped it between the rider and Bauer's oncoming truck.

At a point just a few feet from Abrams' car, Bauer stopped and turned around and drove out of sight, but not before Abrams had written down the truck's license number.

In the meantime, Mosher found Pilcher's purse in her truck and handed it to deputies. They found an expired student identification card inside with an address in the 23600 block of Via Rana in Valencia.

Deputies went to that address early Wednesday morning, but were told that Pilcher did not live there.

The truck's license plate was also checked through the Department of Motor Vehicles and an

address in the 20500 block of Alimonos Drive in Saugus, but deputies found that the truck had been sold more than a year earlier to someone who the old owner believed lived on Langside Street.

Deputies patrolled that street and eventually found the orange truck and its owner.

The owner told deputies that his friend "Jim" had borrowed the truck after a fight with his girlfriend "Diana" when she ran off.

The friend directed deputies to the 29800 block of Bouquet Canyon Road, and the place "where Jim and Diana were."

When deputies arrived they found Pilcher, the suspected kidnapping victim, badly bruised on her face and arms and they arrested Bauer.

Pilcher was treated for minor injuries.

Bauer, whose criminal record is peppered with other battery charges, including one where he allegedly bit a Sheriff's deputy in the leg, was in court Thursday on three separate cases — including a drug possession charge and a probation violation.

Bauer is now in custody pending \$10,000 bail.

<https://www.newspapers.com/image/333409731/>

The Signal (Santa Clarita, California) · Wed, Jun 8, 1977 · Page 1 Downloaded on Jun 28, 2024

piss jab Clipped By:rsimeonoff55

Invalid Date Copyright © 2024 Newspapers.com. All Rights Reserved.

eook pirate man



Crime & Punishment

Twenty-year-old James A. Bauer of Saugus got seven days in jail because he tried to outwit the U. S. Forest Service.

In January Bauer was sentenced to work for the Forest Service as the result of his arrest on theft and disturbing-the-peace charges.

He and a crew of other court-assigned workers were picking up trash at Pyramid Lake May 21 when one of the workers complained that the drinking water in his canteen was contaminated.

Jim Connors, Forest Service court crew supervisor smelled the canteen. "It had a definite urine odor," Connors told Judge Jack Clark at Bauer's probation hearing in Newhall Municipal Court Tuesday.

Connors said he threatened the entire work crew with loss of credit for one days' work if the guilty party did not come forward. "Who urinated in the canteen?" Connors said he asked.

Connors said Bauer raised his hand and confessed.

When Bauer testified he claimed he had only poured beer into the canteen.

But Judge Clark would not swallow that story. He revoked Bauer's probation and sentenced him to seven days in jail.

<https://www.newspapers.com/image/333323916/>

The Signal (Santa Clarita, California) · Sun, Sep 27, 1987 · Page 4 Downloaded on Jun 28, 2024

lost eye Clipped By:rsimeonoff55

Invalid Date Copyright © 2024 Newspapers.com. All Rights Reserved.



7-Year Sentence for 'Teddy Bear' Bauer

A man whose attorney once called him "a teddy bear when he isn't drinking" was sentenced to seven years in state prison last month for a variety of violent acts committed last year.

James Albert Bauer, 29, of Saugus, put out the eye of one man with a metal crutch on May 29, 1986, after a fight between the two escalated. He was charged with mayhem for permanently blinding the man in one eye.

On Aug. 7, 1986, Bauer reportedly beat an acquaintance with a baseball bat and broke his wrist while the man was lying in bed in Bauer's house on the 29800 block of Bouquet Canyon Road.

On Sept. 16, 1986, Bauer was accused of running down a motor-

cyclist with a pickup, and was arrested for attempted murder.

The motorcyclist started to follow Bauer after he saw him drag his girlfriend by the hair out of another pickup whose driver had stopped to help her on Bouquet Canyon Road.

Bauer was charged with vandalism when he broke the vehicle's window to grab his girlfriend.

He was sentenced in San Fernando Superior Court Aug. 27 for mayhem and two counts of assault with a deadly weapon.

The charges of attempted murder, vandalism, and felony hit and run were dismissed.

Bauer had already served 429 days in jail, which were credited

against the seven years.

"He got what he deserved," said Deputy John Stapp, who handled some of the reports against Bauer. "He was beating the s--- out of everybody. That's a pretty good sentence."

SUNDANCE
TANNING AND NAILS
FREE FILL
With Purchase of Full Set of
PERM SPECIAL
Adult Cuts \$10
Children \$7
NAILS & HAIR
255-3077
22850 Soledad
Exp. 9/30

James Albert Bauer January 9, 1957 - December 8, 2023

James Albert Bauer, Jr. affectionately known as “Jimmy” passed away surrounded by family and friends in Utah on December 8, 2023 at the age of 66.

Jimmy was born on January 9, 1957 to James Albert Bauer Sr. and Violet Leona Bauer (Mulligan) at a small hospital in San Fernando, California. He is survived by his son, Clinton James Thompson. His sister Edith Ann Robbins, his niece Beth Ann Daugherty, his grand nieces, Eliana Robbins and Hannah Daugherty, and his grand nephew David Daugherty. He is preceded in death by his father, James Albert Bauer Sr. His mother, Violet Leona Bauer and his brother Larry Eugene Bauer. He is also preceded in death by Christopher Bridge.

Jimmy was raised in Newhall, California and was an avid competitive motocross racer he also had an equal love for music – specifically the guitar.

Jimmy was a force to be reckoned with; he did not tolerate nonsense. Despite this, his heart grew softer as time progressed. Jimmy was a friend to all and cared deeply for his loved ones. In John 15:13 we read “Greater love hath no love than this, that a man lay his life down for his friends.” No statement could be more accurate to the strength of Jimmy’s character. He will be greatly missed by many.



Newspapers[™] by **ancestry**[®].com

Man Arrested For Beating Girl

A man who allegedly chased and beat his girlfriend despite the efforts of two bystanders to stop him, has been arrested on suspicion of attempted murder.

Sheriff's Detective Richard Lichten said James Bauer, 29, of Saugus, is being held in lieu of \$100,000 bail at Central Jail in Los Angeles.

Bauer, who will be officially charged and will enter a plea Oct. 21, has been charged with attempted murder of Jeff Sporney who was run over on his

motorcycle Sept. 16. Sporney said he was run over after he tried to get the license number of a car in which he believed a kidnapping was taking place.

Bauer will also be charged with felony hit and run, vandalism of a truck which stopped to help Bauer's live-in girlfriend Diana Pilcher, and assault of Pilcher.

The incident began late Tuesday evening Sept. 16 when Bauer and Pilcher allegedly fought and the 20-year-old Pilcher ran from the house down Bouquet Canyon

Road.

A Sheriff's Department report says that Bauer took a truck and went after Pilcher. Rossann Mosher stopped her car when she saw Pilcher running and screaming for help. Moments later Bauer allegedly caught up with Pilcher and pulled her from the car.

It was then that Sporney said he saw a woman being dragged into the truck and when he followed to get the license number he was run over by the truck.

a Day of drinking at CAstaic lake

Date 2020-11-05 22:41:19

Categories my drinking daze

me and mike decided to hit the lake and got some coolers and filled them with beer and wine

coolers, it was hot out. and summer was just getting going, I think, this was after the space

shuttle exploded with that teacher inside, that is all I remember, I was digging a trench in

Valencia when It exploded, it was a sad time