

J2411H1 SUPERIOR COURT OF CALIFORNIA-COUNTY OF SAN JOAQUIN
SAN JOAQUIN CJIS STOCKTON BRANCH
ORGANIZATION: SM

12/11/09
10:58

CASE NO. SF112495 A DATE: 12/04/09 TIME: 12:00 PM DEPT.: 14

PEOPLE VS. HUCKABY, MELISSA CHANTEL

(REDACTED)

JUDGE: LINDA L. LOFTHUS, JUDGE
REPORTER: J. WHITLOCK

CLERK: C. MACHADO
BAILIFF: R. MCGOWAN/P. CALLAHAN

NATURE OF PROCEEDINGS: IN CAMERA HEARING.

CHARGES: 1. PC 187 W/PC 190.2(A)(17)(B) W/PC 190.2(A)(17)(E) W/PC 190.2(A)
(17)(K)
2. PC 288.7(B)
3. PC 273A(A)
4-5. PC 347(A)(1)

ATTORNEY MICHAEL BURT PRESENT FOR THE DEFENSE.

CO-COUNSEL WITH DEPUTY PUBLIC DEFENDER SAM BEHAR.

DEFENDANT PRESENT IN CUSTODY.

COURT HELD IN CAMERA HEARING RE:STATUS.

ALL TRANSCRIPTS FROM THE IN CAMERA HEARING ARE ORDERED
SEALED BY THE COURT.

12:20 P.M..

DEPUTY DISTRICT ATTORNEY THOMAS TESTA PRESENT FOR THE
PEOPLE.

ATTORNEY MICHAEL BURT PRESENT FOR THE DEFENSE.

DEFENDANT PRESENT IN CUSTODY.

THE COURT DISCLOSED PRIOR PROFESSIONAL AND SOCIAL
INTERACTIONS WITH ATTORNEY MICHAEL BURT.

DEFENSE COUNSEL BURT, ADVISED THE COURT AND THE PEOPLE
OF MR. BEHARS ABSENCE DUE TO ILLNESS.

DEFENSE COUNSEL ADVISED THE COURT AND THE PEOPLE OF
THEIR PROCESS AND DISCUSSED SCHEDULING OF THE JURY TRIAL

THE COURT ADVISED THE PEOPLE OF THE NECESSITY TO RESCHEDULE THE 1538.5 MOTION, AS IT WAS SET ON A HOLIDAY ALL AGREED TO 2/16/10.

THE ESTIMATED TIME FOR THE MOTION IS TWO WEEKS.

DEFENSE COUNSEL ANNOUNCED THEY ARE NOT READY TO SET A 995 MOTION DATE AT THIS TIME.

THE COURT AND RESPECTIVE COUNSEL DISCUSSED ANY DISCOVERY ISSUES AS SET FORTH ON THE RECORD.

COURT AND RESPECTIVE COUNSEL DISCUSSED THE DEFENSE'S PROPOSED MOTION GRANTING DISCOVERY OF GRAND JURY TRANSCRIPTS.

THE COURT ORDERED THE COURT REPORTER TO PREPARE THE TRANSCRIPTS FROM THE CONVENING OF THE DEFENDANTS GRAND JURY PROCEEDINGS, THE INSTRUCTIONS GIVEN TO THE JURY, AND THE JURY SELECTION.

THE COURT FURTHER ORDERED THE CLERK OF THE GRAND JURY TO PROVIDE PROSPECTIVE COUNSEL ANY WRITTEN MATERIAL THAT WAS PROVIDED TO THE GRAND JURY.

THE COURT GRANTED THE DEFENSE COUNSELS MOTION FOR DISCOVERY OF GRAND JURY INFORMATION AS FOLLOWS:.

- 1 - A COPY OF ALL EXHIBITS SUBMITTED TO THE GRAND JURY.
- 3 - A COPY OF ANY AND ALL NOTES PROVIDED TO THE DISTRICT ATTORNEY BY ANY GRAND JUROR, WHETHER OR NOT THE CONTENTS OF THE NOTE(S) WERE READ INTO THE RECORD.
- 5 - A COPY OF ANY AND ALL WRITTEN JURY INSTRUCTIONS PROVIDED TO THE GRAND JURORS, INCLUDING ANY SUCH INSTRUCTION PROVIDED IN A GRAND JURY HANDBOOK OR OTHER MEANS OF COMMUNICATION.
- 6 - A COPY OF ANY TRANSCRIPT OF THE PROCEEDINGS IN WHICH THE GRAND JURY RECEIVED INSTRUCTIONS FROM THE DISTRICT ATTORNEY OR THE COURT.
- 7 - A TRANSCRIPT OF ALL PROCEEDINGS INVOLVING THE VOIR DIRE, SELECTION, SWEARING IN, INITIAL INSTRUCTIONS AND ANY SUBSTITUTIONS OF THE GRAND JURY WHICH INDICTED THE DEFENDANT ON JULY 31, 2009.

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THE OUTSTANDING ITEMS ON SAID MOTIONS WERE ADDRESSED AND
RESOLVED AS SET FORTH ON THE RECORD.

DEFENSE COUNSEL PROPOSED A MOTION SCHEDULE, AND WILL
CONTACT THE PEOPLE REGARDING THE SCHEDULE, WHICH WILL BE
PRESENTED TO THE COURT ON 2/16/10.

THE COURT UPDATED DEFENSE COUNSEL BURT AS TO ALL COURT
ORDERS MADE UP TO THIS DATE.

HEARING ON 1598.5 MOTION SET ON 02/16/2010 AT 9:00 A.M.
IN STOCKTON SUPERIOR COURT, DEPT. 14.

HEARING ON 09/07/2010 AT 9:00 A.M. IN STOCKTON SUPERIOR
COURT, DEPT. 14 FOR READINESS HEARING.

DEFENDANT ORDERED TO APPEAR ON 10/18/2010 AT 9:00 A.M.
IN STOCKTON SUPERIOR COURT, DEPT. 14 FOR JURY TRIAL.

BAIL TO REMAIN IN NO BAIL STATUS.

DEFENDANT ORDERED PRESENT.

COURT ADJOURNED AT 12:53 P.M..

ENTERED IN CJIS BY C. MACHADO DATE 12/04/2009.

CUSTODY STATUS:
DEFENDANT TO REMAIN IN CUSTODY.