

FRESNO COUNTY SHERIFF'S DEPARTMENT

Fresno, California

JUVENILE INVESTIGATION REPORT

DATE & TIME OF THIS REPORT
2-9-78 0600

CASE # 78-39-261R I.D. #

JUVENILE'S NAME (LAST, FIRST, MIDDLE) BROWN, Billie ADDRESS [REDACTED] CITY Pinedale, Calif. STATE [REDACTED] PHONE [REDACTED]

SEX	RACE	AGE	HEIGHT	WEIGHT	EYES	HAIR	COMPLEXION	BUILD	BIRTHDATE	BIRTHPLACE
M	Ind.	14	5-9	130	brn	blk	med.	med.	[REDACTED]	Oklahoma City, Okla

ALIAS OR NICKNAME MARKS, SCARS, TATOOS, ETC. DESCENT Indian

LAST SCHOOL ATTENDED GRADE 9 RELIGION Catholic YEARS IN CITY, COUNTY

FATHER'S NAME Bill BROWN ADDRESS [REDACTED] CITY Pinedale, Calif. STATE [REDACTED] PHONE [REDACTED]

MOTHER'S NAME Lorraine BROWN ADDRESS Same CITY STATE PHONE

MARITAL STATUS (LIV. TOGETHER, DIV., SEP., ETC.) Together IN LEGAL CUSTODY OF Parents ADDRESS PHONE

PROBATION STATUS (AT TIME OF ARREST) Yes CHARGE Theft PROBATION OFFICER Tracy COUNTY OF Fresno C.J.I. CHECKED (IF YES LIST RECORD BELOW) YES NO

OFFENSE NO. 102 PC 836, 187, 211, 207, VC 1085 DATE-TIME OCCURRED 2-8-78 1930 LOCATION OFFENSE COMMITTED 9th/Vine DATE AND TIME ARRESTED 2-9-78 0600

LOCATION OF ARREST Fresno Sheriff's Dept. CONDITION AND ATTITUDE AT TIME OF ARREST PARENT OR GUARDIAN NOTIFIED BY DATE - TIME

ARRESTING OFFICER'S DISPOSITION OF CASE Booked in Juvenile Hall DATE 2-9-78 CITATION - APPEARANCE DATE AND TIME

ADDITIONAL DETAILS:

Juvenile stated he was traveling with Doug STANKEWITZ, Marlin LEWIS, Christina MENCHACA and Teena TOPPING when the above crimes were committed.

Above subjects were arrested on same charges and booked as adults in Fresno County Jail.

IF ADDITIONAL SPACE IS REQUIRED USE CONT. REPORT, FORM 1-3 2-9-78 kj 1450

ARRESTING OFFICER	BADGE #	FOLLOW-UP INVESTIGATOR	BADGE #	SUPERVISOR APPROVING	BADGE #
McDaniel	38			[Signature]	138

under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on 9/13/79. I also fully explained the contents and I witnessed said signatures. I declare

Signature [Signature] Probation Officer Attorney

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

IN THE MATTER OF (Name and address):
BILLY BOB BROWN
1034 North Cedar
Fresno, California 93702

Age: **16** Date of birth: **April 9, 1963**

PETITION (JUVENILE)

For Court Use Only

SEP 12 4 47 PM '79

CLERK

CLK 5020.00 E08-78 R00-00

CASE NUMBER: * 46742

1. Petitioner requests that a hearing be calendared in this matter and alleges that the above named person is, or was on the date of the commission of the alleged act, under eighteen (18) years of age and

a. comes within the provisions of Welfare and Institutions Code Section: 601. 602.

b. committed the following act set forth in attachment 1b

Count 1: Said minor, **BILLY BOB BROWN**, on or about September 12, 1979, be in a public place under the influence of intoxicating liquor, a drug, toluene, a substance defined as a poison in Schedule D of Section 4160 of the Business and Professions Code, and a combination of intoxicating liquor, a drug, toluene, and such poison in such a condition that he was unable to exercise care for his own safety and the safety of others and did interfere with, obstruct, and prevent the free use of a street, sidewalk, and other public way, thereby violating Section 647(f), a misdemeanor, of the Penal Code of California.

2. Said person was

a. not detained.

b. detained on (Date): **9-12-79** at (Time): **4:50 a.m.** and released on (Date):

3. Parent, guardian or relative (Name and address)

(1) Father: **Bill Brown**
Same as minor

(2) Mother: **Lorraine Brown**
Same as minor

(3) Guardian or relative:

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): **September 12, 1979.**

MYRON SHAPIRO
 (Type or print name) Deputy District Attorney Probation Officer

4. Interpreter required (Spanish language, unless otherwise specified):

5. Probation officer assigned (Full name): **Marootian**

6. District attorney file number: **79-6110**

7. Probation office file number: **112528**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
742 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

For Court Use Only:

FILED

OCT 17 1980

John Chavez

IN THE MATTER OF (Name and address):

Billy Bob Brown
926 North Jackson
Fresno, CA 93702

Age: 17

Date of birth: 4/9/63

Subject Person

CLK 5000.00 E08-70 R04-80

Case Number:
46742

NOTICE OF HEARING (JUVENILE)

1. To the subject person and

a. Name and address

Lorraine Brown
926 North Jackson
Fresno, CA 93702

e. Name and address:

- b. Fresno County District Attorney, via interoffice mail
c. Fresno County Public Defender, via interoffice mail
d. Other

- f. Fresno County Probation Officer, via interoffice mail
g. Fresno County Department of Social Services, via interoffice mail

Name and address

Name and address:

2. You are notified that a (Type of hearing):

- a. hearing on the attached petition will be held as follows
b. hearing in this matter has been set or rescheduled as follows
c. hearing in this matter will be held as follows on transfer from county of:

(1) Date: 10-27-80 Time: 2:00 PM Dept.: A Div.: Room No.:

(2) Address of court

- Juvenile Court Building, 742 South Tenth Street, Fresno, California
 Fresno County Courthouse, 1100 Van Ness Avenue, Fresno, California
 Other (Specify):

3. This proceeding comes under the following Welfare and Institutions Code Section

- a. 300(a) 300(b) 300(c) 300(d)
b. 601(a) 601(b)
c. 602

4. A parent or guardian may be required to participate in a counseling program with the subject person.

Dated: October 14, 1980

Clerk of the Court, by

Yolanda Alvarez
Yolanda Alvarez

Deputy

NOTICE TO PARENT OR GUARDIAN AND SUBJECT PERSON

YOU ARE ENTITLED TO HAVE AN ATTORNEY PRESENT AT THE HEARING. IF YOU ARE INDIGENT, CANNOT AFFORD AN ATTORNEY AND YOU DESIRE TO BE REPRESENTED BY AN ATTORNEY, ONE WILL BE APPOINTED AT THE TIME OF THE HEARING.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy of the above notice was mailed certified mail with request for return receipt first class, postage prepaid, or via interoffice mail as indicated, in a sealed envelope addressed as shown above, and that the mailing of the foregoing and execution of this certificate occurred at Fresno, California.

Date:

Clerk of the Court, by

Deputy

See reverse for proof of personal service

The singular includes the plural. A copy of the petition must be attached to all copies of this notice which are served, when item 2a is checked.

NOTICE OF HEARING (JUVENILE)
Petition for Writ of Habeas Corpus - EXHIBITS

Page 1866

W&I 311, 312, 335, 336, 337, 386, 397,
630, 630.1, 658, 659, 660, 776 & 777;
CRC 1309, 1331, 1334, 1382 & 1383

(HD)

Distribution: 4.

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green) (602)
- 4. Probation Officer (Pink)

1) 459(7/7/80)F.
 2) PG 459(")F.

Space for Use of County Clerk Only

FILED

JUL 31 1980

FRESNO COUNTY CLERK

William B. Sequest, Jr.
 DEPUTY

() Mailing Required

CLK 6011:00 E08:70 R 04:74

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN

DATE: 7-30-80

DEPT.: B

A minor born: 4-9-63

ACTION NO. 46742

FILED: 7-9-80 Subsequent

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

<u>Jay M. Carter</u> Judge	<input checked="" type="checkbox"/> MINOR	<input type="checkbox"/> FATHER/MOTHER
<u>W. F. Murphy</u> Referee	<input checked="" type="checkbox"/> D.P.O. <u>L. TANNER</u>	
	<input checked="" type="checkbox"/> D.P.O. <u>C. MORSE</u>	
	<input checked="" type="checkbox"/> D.D.A. <u>J. STEPHAN</u>	
	<input type="checkbox"/> OTHER:	

ADJUDICATION

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross-examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.

- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____
- Count(s) _____ dismissed.

- Minor is _____ a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno _____ County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).

Minor has been tried on probation and has failed to reform.

WARRANT ISSUED 7/28/80

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.

- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____
- _____ per day/month for _____ maintenance.
- Continued to _____ for disposition.

OFF CALENDAR (TO BE RESET WHEN MINOR LOCATED)

OTHER ORDERS:

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 7-30-80

Jay M. Carter
 Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Judge of the Superior Court.

F.H. Inver-Hall

F.O.C.

Further Order of Court

C.Y.A.

California Youth Authority

C.K.W.S.

C.K. Wakefield School

601

FILED

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA JUL 29 1980

IN AND FOR THE COUNTY OF FRESNO

GALEN L. HANCOCK, Clerk
By Arnold Anderson DEPUTY

BILLY BOB BROWN
A Minor

A F F I D A V I T

for Issuance of

WARRANT OF ARREST

NO. 46742

Roy Selby, Program Coordinator (Affiant)

says as follows: A verified Supplemental petition was filed on 7-9-80
alleging that said minor comes within the provisions of Section 602 of the
Welfare and Institutions Code of the State of California.

The above named minor was placed on the Supervised Home Detention
program on July 8, 1980.

He left his home on or about July 22, 1980 without permission. His
whereabouts are unknown to his parent or this Officer.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: This 25th day of July, 19 80.

Roy Selby
SIGNATURE OF AFFIANT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS JUVENILE COURT

In the Matter of the Minor:

BILLY BOB BROWN

Age 17 Date of Birth 4-9-63

Action No. 46742

ORDER FOR AND WARRANT OF ARREST
OF MINOR

A petition has been filed on July 9, 1980, alleging that the above named minor comes within the provisions of Section(s) 602 of the California Welfare and Institutions Code. A hearing is requested thereon. The court has read and considered the petition and any affidavit filed herein and it appearing that the minor comes within the jurisdiction of the Juvenile Court and that said minor's conduct, behavior and circumstances of said minor's home environment may endanger the health, person, welfare or property of himself or of others:

IT IS HEREBY ORDERED that a warrant of arrest, with no bail set, be issued in said minor's behalf.

TO ANY PEACE OFFICER OF THIS STATE:

YOU ARE HEREBY COMMANDED to take said minor into custody and detain said minor in a place legally provided for the detention of minors and that, if said place is other than the Fresno County Juvenile Hall, said minor is to be forthwith transferred to the Fresno County Juvenile Hall to be detained there until further order of this court.

IT IS FURTHER ORDERED that if said minor is on probation, said probation will continue until further order of this court.

Dated: Fresno, California: July 28, 1980

SIMON MAROOTIAN

Judge/Referee of the Juvenile Court

NOTICE

This warrant of arrest may be served at any time of day or night.
This warrant of arrest is null and void six (6) months from date of issue.

SNO COUNTY JUVENILE HA.
INCIDENT REPORT

46742

UNIT: 54D DATE: July 22, 1980 TIME: _____

COUNSELOR: H. McQuitty

NAME OF WARD: Billy Bob Brown D.P.O. Janner

INCIDENT: _____

On July 22, 1980 Mrs. Brown indicated that Billy had been drinking the previous night. She also stated he had not come home until 6:00 AM, July 22. After arriving home, intoxicated, he had an argument with his mother and immediately left. She stated he was not following her instructions and she could no longer control him.

7-23-80 - Mirror failed to appear @ Juv Hall as instructed on 7-22-80. He was told he must come in today otherwise a warrant would be issued for his arrest.

REVIEWED BY SENIOR COUNSELOR: _____ DATE: _____

REMARKS: _____

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

PC 459 F
 PC 459 F

A COPY OF THIS ORDER WAS SERVED
 UPON THE MINOR IN OPEN COURT.

[] Mailing Required

Space for County Clerk's File

FILED

JUL 18 1980

William B. Secrest, Jr.
 FRESNO COUNTY CLERK
 DEPUTY

CLK 6011.00 E08-70 R.04-74

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT**

IN RE BILLY BOB BROWN
 A minor born: 4-9-63

DATE: 7-17-80 DEPT.: C
 ACTION NO: 46742 FILED: 7-9-80

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

W. H. Anderson Judge
W. H. Anderson Referee
W. H. Anderson Clerk
W. H. Anderson Reporter
 Bailiff

MINOR, *W. H. Anderson*
 FATHER/MOTHER, *W. H. Anderson*
 D.P.O., *W. H. Anderson*
 D.P.O., *W. H. Anderson*
 D.D.A., *W. H. Anderson*
 OTHER:

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.

- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____
- Court(s) _____ dismissed.

- Minor is _____ a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno _____ County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).

Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____ County to pay authorized maintenance/until A.F.D.C. is established.

- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance for _____
- Continued to 7-30-80 9/15/80 Dept. B

OTHER ORDERS:

Minor to return for hearing.

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 7-17-80

W. H. Anderson
 Judge/Referee of the Superior Court
 Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

file

INITIAL EVALUATION: INTERVIEWER: Mayer DATE: 7-10-80

MINOR'S NAME: Billy Bob Brown D.O.B. 4-9-63 Phon

ADDRESS: 226 N. Jackson Fresno Juanita Brown - Missabe
(street no.) (city) (zip) (phone) 251-0436

SCHOOL: Homer Instruction GRADE: _____ STATUS: _____

WORK: _____

OTHER ACTIVITIES: _____

FATHER'S NAME: Bill Brown D.O.B. _____

ADDRESS: Calwa Motel PHONE: _____

WORK: _____ HOURS: _____

MOTHER'S NAME: Joraine Brown D.O.B. _____

ADDRESS: SAM PHONE: _____

WORK: housewife HOURS: _____

OTHER PERSONS IN HOME: _____

BROTHERS: _____

SISTERS: Donita (15)

OTHERS: _____

COURT: Sanderson ACTION NO: 46742 PROBATION NO: 112528

PETITIONED OFFENSE(S): 2 counts 459

PROBATION STATUS: YES (FORMAL/INFORMAL) NO

PROBATION TEAM: _____ FIELD P.O.: Greene

ATTORNEY: _____ CONFIRMATION APPT: 7-17-80 @ 10:00

COURT HEARINGS: _____

ADJUDICATION DISPOSITION REPORT DUE REPORT FILED BY

ADJUDICATION	DISPOSITION	REPORT DUE	REPORT FILED BY
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

FINAL DISPOSITION OF CASE: _____

COMMENTS: _____

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

NAME Billy Bob Brown D.O.B. 4-9-63

By the authority of the JUVENILE COURT, you are being placed on Supervised Home Detention Program, pending further order of the Court. You are required to live within the General and Special Conditions listed below:

- Obey all laws, your parents, Probation Officer, Home Detention Counselor, and all COURT ORDERS.
- Attend school regularly and obey all school regulations. (Only medically excused absences allowed.) In the event of a suspension from school, special arrangements will be made for school hours.
- Seek and/or maintain employment.
- Be in your place of residence at the hours designated by your parents and Home Detention Counselor. ~~MAXIMUM CURFEW~~ Housefinest
- Not to possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Not to associate with anyone disapproved of by parents, Probation Officer, Home Detention Counselor or with Employees of Electric Fry
- Appear for scheduled COURT HEARINGS AND APPOINTMENTS as arranged by your Home Detention Counselor or Probation Officer.

Conf. 7-17-80 @ 10:00

THE ABOVE RULES HAVE BEEN READ AND EXPLAINED TO ME AND I AGREE TO ABIDE BY THEM. IF I FAIL TO COMPLY WITH THESE CONDITIONS I MAY BE RETURNED TO JUVENILE HALL, OR SERVE WEEKENDS ON THE COMMUNITY SERVICE WORK PROGRAM.

Billy Brown 17-10-80
Minors Signature Date

I, as PARENT/GUARDIAN of Billy Bob agree to enforce this contract and to notify the Home Detention Counselor of any violations of this contract. I also agree to appear for scheduled Court Hearings and appointments with the Probation Officer and the Home Detention Counselor.

Lorraine Brown 17-10-80
Parent, Guardian Signature Date

Phyllis Meyer 17-10-80
Witness Signature Date

ORIG: SHD FOLDER
CC MINOR
DPO

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 742 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702		For Court Use Only: <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> <div style="text-align: center;"> JUL 15 1980 FRESNO COUNTY CLERK <i>William B. Secrest, Jr.</i> DEPUTY </div>	
IN THE MATTER OF (Name and address): <input checked="" type="checkbox"/> Billy Bob Brown 926 North Jackson Fresno, California 93702		Subject Person: <i>William B. Secrest, Jr.</i> CLK 5000.00 E08-70 R04-80	
Age: _____ Date of birth: _____		Case Number: 46742	
NOTICE OF HEARING (JUVENILE)			

1. To the subject person and

a. <input checked="" type="checkbox"/> Name and address: Lorraine Brown 926 North Jackson Fresno, California 93702	e. <input checked="" type="checkbox"/> Name and address:
b. <input type="checkbox"/> Fresno County District Attorney, via interoffice mail c. <input type="checkbox"/> Fresno County Public Defender, via interoffice mail d. <input type="checkbox"/> Other	f. <input type="checkbox"/> Fresno County Probation Officer, via interoffice mail g. <input type="checkbox"/> Fresno County Department of Social Services, via interoffice mail
<input checked="" type="checkbox"/> Name and address: 	<input checked="" type="checkbox"/> Name and address:

2. You are notified that a (Type of hearing):

a. hearing on the attached petition will be held as follows

b. hearing in this matter has been set or rescheduled as follows

c. hearing in this matter will be held as follows on transfer from county of:

(1) Date: **7-17-80** Time: **10:00 AM** Dept.: **C** Div.: Room No.:

(2) Address of court:
 Juvenile Court Building, 742 South Tenth Street, Fresno, California
 Fresno County Courthouse, 1100 Van Ness Avenue, Fresno, California
 Other (Specify): _____

3. This proceeding comes under the following Welfare and Institutions Code Section.

a. 300(a) 300(b) 300(c) 300(d)

b. 601(a) 601(b)

c. 602

4. A parent or guardian may be required to participate in a counseling program with the subject person.

Dated: **7-10-80** Clerk of the Court, by *Gloria Hidalgo* Deputy
GLORIA HIDALGO

NOTICE TO PARENT OR GUARDIAN AND SUBJECT PERSON

YOU ARE ENTITLED TO HAVE AN ATTORNEY PRESENT AT THE HEARING. IF YOU ARE INDIGENT, CANNOT AFFORD AN ATTORNEY AND YOU DESIRE TO BE REPRESENTED BY AN ATTORNEY, ONE WILL BE APPOINTED AT THE TIME OF THE HEARING.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy of the above notice was mailed certified mail with request for return receipt first class, postage prepaid, or via interoffice mail as indicated, in a sealed envelope addressed as shown above, and that the mailing of the foregoing and execution of this certificate occurred at Fresno, California,

on (Date): _____ Clerk of the Court, by _____ Deputy

See reverse for proof of personal service

The singular includes the plural. A copy of the petition must be attached to all copies of this notice which are served, when item 2a is checked.

PROOF OF SERVICE (JUVENILE)

1. I served the

a. Notice of Hearing (Juvenile), with a copy of the petition attached.

b. Citation (Juvenile), with a copy of the petition attached.

c. On (Name of person served): *Billy B. Brown*

(1) By delivery at home business Juvenile Court

(a) Date of: *7-10-80*

(b) Time of: *15:05*

(c) Address: 742 South Tenth Street, Fresno, California Other (Specify):

d. On (Name of person served): *Mrs. Brown*

(1) By delivery at home business Juvenile Court

(a) Date of: *7-10-80*

(b) Time of: *15:05*

(c) Address: 742 South Tenth Street, Fresno, California Other (Specify):

e. On (Name of person served): *Pub Del*

(1) By delivery at home business Juvenile Court

(a) Date of: *7-11-80*

(b) Time of:

(c) Address: 742 South Tenth Street, Fresno, California Other (Specify): *Cut Hae*

2. Manner of service: Personal service. By personally delivering copies (CCP 415.10)

3. At the time of service I was at least 18 years of age and not a party to this action.

4. I received the notice or citation for service on (Date):

5. Person serving (Check one only.)

a. Not a registered California process server.

b. Registered California process server.

c. Employee or independent contractor of a registered California process server.

d. Exempt from registration under B&P Code 22350(b).

e. California sheriff, marshal or constable.

f. Name, address, telephone number and, if applicable, county of registration and number:

(For California sheriff, marshal or constable use only)

I certify that the foregoing is true and correct and that this certificate is executed on (Date):

at (Place): _____, California.

(Signature)

I certify under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (Date):

7-10-80 at (Place): *Fresno*, California.

(Signature)

Distribution: 4

- 1. County Clerk's File
- 2. Clerk's Minutes
- 3. Probation Office File
- 4. Minor

PC 459 F
PC 459 F

A COPY OF THIS ORDER WAS SERVED
UPON THE MINOR IN OPEN COURT.

FILED
Seal of Use of County Clerk Only

JUL 15 1980

FRESNO COUNTY CLERK

William B. Sequester, Jr.
DEPUTY

CLK-6013.00 E03-72 R05/73

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN
4-9-63

DATE: 7-10-80 DEPT: C
ACTION NO. 46742 FILED: 7-9-80

A minor born:

PRESENT:

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

<u>Cliff Anderson</u>	Judge	<u>MINOR</u>	<u>FATHER/MOTHER</u>	
<u>W. Brown</u>	Referee	<u>D.P.O.</u>	<u>R. Nelson</u>	
<u>Rebecca Hansen</u>	Clerk	<u>D.P.D.</u>	<u>N. Kops</u>	
	Reporter	<u>D.D.A.</u>	<u>G. ...</u>	
	Bailiff	<u>OTHER: M. ...</u>		

THE COURT:

by video tape
 Advised minor of rights to counsel, against self-incrimination, and to confrontation and cross-examination of persons examined.
 Advised persons present of reason minor was placed in custody.
 Advised persons present of nature of juvenile court proceedings.
 Read petition to persons present.
 Appointed District Attorney _____ to represent minor.
 Minor waived right to Counsel (with concurrence of parent).
 Other M. State he understands rights

Appointed Public Defender 3D
 to represent minor and/or parent(s)
 Accepted minor's admission to petition after minor waived his right to a jurisdictional hearing and admitted the petition with consent of counsel after waiving his rights against self-incrimination and confrontation by and cross-examination of witnesses.
 Heard relevant evidence as offered by the minor, his parent(s), or guardian(s) and the Probation Officer.
 Other _____

FINDINGS:

Prima Facie Case Established
 Notice of hearing was duly given.
 Minor is a person described in Section 600, 601, 602 or _____ of the Welfare and Institutions Code.
 The minor should be released pending adjudication/disposition hearing.
 It is necessary to place the minor outside his home pending hearing.
 Other _____
 The allegations of petition/as amended found true as to count(s) _____
 Count(s) _____ dismissed.

Continued detention of said minor is necessary for the reason that:
 The minor has violated an order of the Juvenile Court.
 The minor has escaped from a commitment of the Juvenile Court.
 It is a matter of immediate and urgent necessity for the protection of such minor or the person or property of another.
 The minor is likely to flee the jurisdiction of the court.

The Minor is placed in the custody of the Superintendent of the Fresno County Juvenile Hall for suitable placement pending hearing.

IT IS HEREBY ORDERED:

Minor to return for hearing.
 The minor is released to parent(s) _____ pending adjudication/disposition hearing under the following conditions:
 obey parents
 attend school regularly and obey school regulations
 be on house arrest (_____ curfew) except to attend school or work
 obey all laws
 not to associate with _____
 Warrant Dated _____ is recalled.

The minor is detained in Fresno County Juvenile Hall _____ pending adjudication/disposition hearing.
 The minor is released in charge of the Probation Officer to be placed/ remain in a licensed foster home _____ pending adjudication hearing.

Adjudication (disposition) hearing set for _____ at _____
Confirm 7-17-80 @ 10PM Dept's

Dated: Fresno, California: 7-10-80

W. Hansen
Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Dated: Fresno, California: July 11, 1980

R. J. ...
Judge of the Superior Court

ARRAIGNMENT/DETENTION HEARING

Petition for Writ of Habeas Corpus - EXHIBITS

DETENTION/ARRAIGNMENT MEMO

MINOR: Billy Brown COURT NUMBER: 46742

HEARING DATE: 7-10-80 CASE P.O.: Green, D.

PARENTS/GUARDIAN (Indicate) NAME: Lorraine Brown

WILL APPEAR: YES NO REASON: _____

NOTICE GIVEN BY: D. Tanner ON: 7-9-80 VIA: to sister, Waneta

INTERPRETER NEEDED: YES NO DATE CLERK NOTIFIED: Brown/ phone

MINOR'S CURRENT STATUS: JH AH NIC

RECOMMENDATION:

RELEASE _____ WITH FOLLOWING ORDERS: _____

DETAIN JH SHD _____ AH _____

DETENTION REASONS: (Circle number of appropriate reasons and give explanation if needed.)

- 1. Violation of Court order dated _____ ordering _____
- 2. Escaped from Juvenile Court commitment _____
- 3. Likely to flee jurisdiction based on prior runaways, warrants, and FTA _____
- 4. Urgent and immediate necessity for minor's protection _____

(5) Reasonable necessity for protection of person or property of another minor has extensive record and is now involved in to business burglaries.

ADDITIONAL INFORMATION:

Sole wardship admonishment requested: YES NO

Prior probation contacts and disposition (Including citations, informal and formal) _____

Very extensive record including 459, Kidnapping with firearm, kidnapping for robbery, 211, 647f, 415.

Other factors that should be brought to the Court's attention that have bearing on a release or detention decision, such as history of offense similar to instant petitioned offense, non-compliance with previous court or probation orders (i.e. CSWP), family ability to control, etc. _____

Extensive record - most serious offenses dismissed - has substance abuse problem - but has worked out well on SHD a past - try it again as minor has orthopedic problems that will prove bothersome if minor detained
D. Tanner 7-9-80

Intake Probation Officer _____

Date _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702		For Court Use Only JUL 9 4 53 PM '80 GALEN LARSON FRESNO COUNTY CLERK BY <i>Gloria S. ...</i> DEPUTY
IN THE MATTER OF (Name and address): BILLY BOB BROWN 926 North Jackson Fresno, California 93702		CLK 5020.00 E08-78 H00-00
Age: 17	Date of birth: April 9, 1963	CASE NUMBER: *46742.
PETITION (JUVENILE)		

1. Petitioner requests that a hearing be calendared in this matter and alleges that the above named person is, or was on the date of the commission of the alleged act, under eighteen (18) years of age and
- a. comes within the provisions of Welfare and Institutions Code Section: 601 602
- b. committed the following act set forth in attachment 1b

Count 1: Said minor, Billy Bob Brown, on or about July 7, 1980, in the County of Fresno, State of California, willfully and unlawfully entered Fry Electric, a business located at 4564 East Tyler, Fresno, with intent to commit theft, thereby violating Section 459, a felony, of the Penal Code of California; and

Count 2: Said minor, on or about July 7, 1980, in the County of Fresno, State of California, willfully and unlawfully entered a business located at 4560 East Tyler, Fresno, with intent to commit theft, thereby violating Section 459, a felony, of the Penal Code of California.

*10/27/80
MFA*

NOTE ←

2. Said person was
 a. not detained
 b. detained on (Date): 7-8-80 at (Time): 9:00 a.m. and released on (Date):
3. Parent, guardian or relative (Name and address)
 (1) Father: Willis Brown Unknown
 (2) Mother: Lorraine Brown Same as minor
 (3) Guardian or relative:

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): July 9, 1980

..... Fred Logan
 (Type or print name)

Fred Logan
 Deputy District Attorney Probation Officer

4. Interpreter required (Spanish language, unless otherwise specified):
5. Probation officer assigned (Full name): D. Tanner
6. District attorney file number: 80-J-1237 bd
7. Probation office file number: 112528

Singular includes the plural.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702		For-Court Use Only JUL 9 4 53 PM '80 GALEN LARSON FRESNO COUNTY CLERK BY <i>[Signature]</i> DEPUTY
IN THE MATTER OF (Name and address): BILLY BOB BROWN 926 North Jackson Fresno, California 93702		
Age: 17	Date of birth: April 9, 1963	CLK 5020.00 E08-78 R00-00
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Count 1: Said minor, Billy Bob Brown, on or about July 7, 1980, in the County of Fresno, State of California, willfully and unlawfully entered Fry Electric, a business located at 4564 East Tyler, Fresno, with intent to commit theft, thereby violating Section 459, a felony, of the Penal Code of California; and

Count 2: Said minor, on or about July 7, 1980, in the County of Fresno, State of California, willfully and unlawfully entered a business located at 4560 East Tyler, Fresno, with intent to commit theft, thereby violating Section 459, a felony, of the Penal Code of California.

*10/27/80
WKA*

2. Said person was
- not detained
 - detained on (Date): 7-8-80 at (Time): 9:00 a.m. and released on (Date):
3. Parent, guardian or relative (Name and address)
- | | | |
|--|--|---------------------------|
| (1) Father:
Willis Brown
Unknown | (2) Mother:
Lorraine Brown
Same as minor | (3) Guardian or relative: |
|--|--|---------------------------|

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): July 9, 1980

.....Fred Logan.....
(Type or print name)

[Signature]
Deputy District Attorney Probation Officer

4. Interpreter required (Spanish language, unless otherwise specified):
5. Probation officer assigned (Full name): D. Tanner
6. District attorney file number: 80-J-1237
bd
7. Probation office file number: 112528

Singular includes the plural.

IN THE MATTER OF: Billy Bob Brown
ADDRESS: 926 N. JACKSON

CASE NUMBER: 46742

59

PHONE: 255-1460

P/P/TEAM REFERRAL INFORMAL WARD-REFERRED BY P.O. WARD-REFERRED BY COURT

COMMUNITY SERVICE WORK PROGRAM PERFORMANCE EVALUATION AND RECOMMENDATION

On APRIL 28, 19 80, The Juvenile Court/Probation Officer ordered the above named minor committed to the Juvenile Hall/Community Service Work Program for 10 days. The minor and his parent/guardian agree the minor is physically capable of manual labor and further agree the minor is to report on the following days for work program.

Billy Brown Minor's signature
Lorraine Brown Parent/Guardian signature
5-2-80 Date

Assigned to C.S.W.P. by deputy probation officer: James M. [Signature]

DATE	5/7	5/8	5/8	5/12	5/13	5/14	5/15	5/16	5/19	5/20	5/21	5/22				
ATTENDANCE	P	N/P	N/P	EX	EX											
PERFORMANCE																
RATER																

Code: Attendance: P=present, N/P=not present
Performance: E=excellent, S=satisfactory, U=unsatisfactory

PERFORMANCE EVALUATION: 5/8 woke up late; spoke w/ parent - Rescheduled
5/9 - spoke w/ mother - minor stayed at brother's house; absence unexcused, added 5/12
5/13 - tentatively excused from CSWP - injured knee, brought in verification will reimburse 1056 CSWP when notified by minor's P.O.
6/19/80 Dropped - til further notice by P.O.

P.O. to Reenroll into when minor physically able to work! Has completed 1 Day only.

Evaluation and recommendation completed by: H. Rinn
C.S.W.P. Deputy Probation Officer

Distribution: Original to Court
Canary to PO
Pink to Minor
Goldenrod to C.S.W.P. for Permanent Record
Date: 6-19-80

ATTACHMENT

Distribution: 4

Space for Seal of County Clerk Only

FILED

MAY 29 1980

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink) (602)

A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT.

GALEN LARSON, Clerk

[] Mailing Required

W. Arnold Anderson
DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN

DATE: 5-28-80

DEPT.: B

A minor born: 4-9-63

ACTION NO. 46742

FILED: 2-29-80 Subseq.

PRESENT BEFORE THE COURT:

JAY M. CARTER Temporary Judge MINOR, J. GREEN FATHER/MOTHER

W. F. MURPHY Referee D.P.O. _____

Clerk D.P.O. _____

Reporter D.D.A. _____

Ratiff OTHER: _____

WITNESSES SWORN:

COUNSELING REVIEW (SET 4/28/80)

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.

- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.

*OSWP TEMPORARILY SUSPENDED PENDING SURGICAL
MINOR SCHEDULED FOR OPERATION ON
LEG ON 5/30/80*

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____ dismissed.
- Count(s) _____

- Minor is a person under Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER DIANE GREEN MINOR TO ATTEND OLIVE STREET BRIDGE, P.O. TO BOOK MINOR IF DETAILS TO ATTEND ONE SESSION

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.

- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
- Continued to _____ for _____

OTHER ORDERS:

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 5-28-80

Jay M. Carter
Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Judge of the Superior Court

W/O - Without J.H. - Juvenile Hall F.O.C. - Further Order of Court C.Y.A. - California Youth Authority
C.K.W.S. - C.K. Wakefield School 601/602

Petition for Writ of Habeas Corpus EXHIBIT 5

PROSECUTION OFFICER'S MEMORANDUM

TO: Referee Carter DATE: 5-28-80

RE: Billy Bob Brown
Ct. No. 46742

On 4-28-80, the above-named minor appeared for a Dispositional Hearing. At that time he was ordered to attend counseling at Olive Street Bridge & to complete CSWP 10 days.

Spm had his first counseling session yesterday & will be attending one session per week.

His CSWP has been temporarily suspended pending medical clearance.

The minor injured his leg, has another Dr's appointment on 5-30-80 to determine whether surgery is necessary.

* It is this officer's recommendation that all former orders remain in full force & effect.

Diane Green
 Deputy

Distribution: 4

Space B... for use of County Clerk Only

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

*(602) ADMITTED BY AS
AMENDED, ON 4/7/80
M.*

FILED

APR 29 1980

Mailing Required A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT.

CLK 6011.00 E08:70 R 04-74

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT**

IN RE: Billy Bob Brown
A minor born: 4-9-63

DATE: 4-28-80 DEPT.: Clerk
ACTION NO. 410742 FILED: 7:19-80 (AM)
SUBSEQUENT

PRESENT BEFORE THE COURT:

<u>J. M. Carter</u>	TEMPORARY JUDGE	<input checked="" type="checkbox"/>	MINOR,	<u>C. Morse</u>	FATHER/MOTHER
<u>A. Y. Zobian</u>	Clerk	<input checked="" type="checkbox"/>	D.P.O.	<u>R. Nelson</u>	
<u>T. Nutt</u>	Reporter	<input checked="" type="checkbox"/>	D.P.O.	<u>P. Stephen</u>	
	Bailiff		D.D.A.		
			OTHER:		

WITNESSES SWORN:

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.

*More time for 4474) 180 days
Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
(120 servable time)*

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____
- Count(s) _____ dismissed.

- Minor is _____ a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno _____ County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).

Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor ~~shall~~ remain ward of the court in charge of the probation officer and be on probation until 4-21-81
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of mother
- County to pay authorized maintenance/untill A.F.D.C. is established.

- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____
- Continued to 5-28-80 @ 1:30 Dpt B maintenance for Review

OTHER ORDERS:

Minor to attend Counseling of every session at Blue Street Budget. Minor to be enrolled in CSWP program for 10 days

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

Minor to remain on a 7-10 P.M. Curfew. PO to monitor minor's enrollment at Blue St. Budget and that minor to appear for Review hearing

ADDITIONAL/CONTINUED HEARINGS:

Minor has right to appeal within 60 days from today's date.

Dated: Fresno, California: 4-28-80

TEMPORARY Jay M. Carter Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Judge of the Superior Court.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and copies of the Attached Findings and Order of Referee and a written explanation of the right to seek review of the order were mailed (first class, postage prepaid) at Fresno, California, addressed as shown below on (date) April 29, 1980

H. L. MASINI, COUNTY CLERK

By Arnell Avedisian, Deputy Arnell Avedisian

IMPORTANT

NOTICE TO MINORS AND THEIR PARENTS OR GUARDIANS

You, or any of you, may ask for a rehearing of your case to be heard by the Judge of the Juvenile Court. You may apply for a rehearing on the whole or any part of your case.

The request does not have to be in any particular form, but it:

- 1. Must state the reasons why you are asking for a rehearing
2. Must be in writing
3. Must be dated, and
4. Must be signed by the person asking for the rehearing.

The request for the rehearing must be brought or mailed to the Clerk of the Juvenile Court, 744 South Tenth Street, Fresno, California 93702. (This is the Juvenile Hall).

The request must be delivered no later than ten (10) days after you have been given or have received a copy of the order that the Referee made. (You may not ask for a rehearing if you wait until after ten (10) days have passed.)

You have the right to have an attorney at a rehearing, and one will be appointed to represent you if you cannot afford to pay your own attorney.

NOTICIA

PARA LOS MENORES DE EDAD, SUS PADRES O GUARDIANES

Ustedes o cualquiera persona pueden pedir una audiencia de su causa por el Juez de la Corte Juvenil. Pueden poner una aplicacion para tener otra corte o audiencia de toda su causa o parte de esa.

Al requerir esto no lo tienen que hacer en ninguna forma especial pero tienen que:

- 1. dar sus razones por lo que piden otra corte
2. hacerlo por escrito
3. poner la fecha en la forma y
4. firma la forma por la persona que esta pidiendo otra audiencia.

La forma pidiendo esta corte se tiene que traer o mandar por correo a la Corte Juvenil, el domicilio de la cual es 744 South Tenth, Fresno, California 93702.

Se tiene que entregar esta forma no mas de diez dias despues que usted haya recibido la copia de la orden que le dio el Juez. Pero no puede suplicar otra Corte o audiencia si deja pasar los diez dias.

Tiene usted el derecho de tener un abogado en la otra corte, si no tiene fondos para pagar a su propio abogado, uno sera nombrado para que lo represente.

Billy Bob Brown
926 N. Jackson
Fresno, CA 93702

Willis Brown
1051 Brookside Dr
Clovis, CA 93612

Lorraine Brown
926 N. Jackson
Fresno, CA 93702

VIA Inter-Office Mail
C. Morse
Public Defender

CLERK'S CERTIFICATE OF MAILING

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

46742
DISPO.
4/28/80
9AM
B

MINOR : BROWN, BILLY
D.O.B. : APRIL 9, 1963
ACTION : 46742

S.H.D.C. : DALE McANULTY
D.P.O. : EDWARDS
PROBATION : 112528

ANALYSIS:

The above minor was placed on the Supervised Home Detention Program on March 3, 1980. Since that date there have been no major contract violations.

Billy has proven to be very accessable during home visits and has been cooperative during counselling sessions. He is currently working, but only on a parttime basis. He is however making some attempts to find fulltime employment.

One negative aspect of Billy's behavior is that he has yet to adequately follow up on the court's directive that he attend mental health sessions. This Counselor has provided him with AA meeting sites, plus encouraging him to contact Olive Street Bridge. As of this date, he has not taken the initiative in helping himself in this area. His excuses have been numerous.

On an overall basis however, Billy's adherence to the Program has been good.

It is recommended that he be allowed to continue on the Program until all court proceedings are completed.

COURT : DISPOSITION

DATE : APRIL 21, 1980
28

by Dale McAnulty
April 15, 1980

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702	For Court Use Only <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> APR 29 1980 GALEN LARSON, Clerk <i>Arnell Anderson</i> CLK.6016.00 E09-79 R00-00
IN THE MATTER OF (Name and address): Billy Bob Brown 926 N. Jackson Fresno, California 93702 Age: 17 years Date of Birth: 4-9-63	CASE NUMBER: 46742
SOCIAL STUDY <input type="checkbox"/> 601 <input checked="" type="checkbox"/> 602	

Type of hearing: Disposition	Date: 4-21-80	Time: <i>9 AM</i> 10:15 a.m.	Dept.: B
--	-------------------------	--	--------------------

1. Attorney for

- a. Subject person. waived
- (1) Name: **C. Morse**
- (2) Public Defender
- (3) Appointed private counsel
- (4) Retained private counsel

- c. Father
- (1) Name:
- (2) Public Defender
- (3) Appointed private counsel
- (4) Retained private counsel

- b. Mother
- (1) Name:
- (2) Public Defender
- (3) Appointed private counsel
- (4) Retained private counsel

2. Status of subject person

- a. Not in custody
- b. Detained Juvenile Hall
- c. Home detention
- d. House arrest
- e. Detained juvenile facility county jail
- f. Other (Specify):

3. Current proceeding

- | | | | | | | |
|----------------------------|------------------|-------|----------|------|--|-----------------------|
| a. Petition filed on date: | b. Charge count: | code: | section: | M/F: | c. Term set by law lower: middle: upper: | d. Adjudication date: |
| 2-29-80 | 1 | PC | 647 (f) | M | 1/2 | 4-7-80 |

Singular includes the plural.

PROBATION OFFICERS SOCIAL STUDY

W&I 280, 281, 281.5, 702, 706, 707, 725, 726, 737; CRC 1366, 1371, 1372, 1373, 1392

IN THE MATTER OF (Name):

Case Number:

Billy Bob Brown

46742

1. Father (Name): Willis Brown
 a. Date of birth: 3-14-31
 b. Place of birth: St. Joe, Arkansas
 c. Occupation: Truck Driver
 d. Telephone: Unknown
 e. Address: Whereabouts unknown
 1051 Brookside Drive
 Clovis, California

2. Mother (Name): Lorraine Brown
 a. Date of birth: 12-5-30
 b. Place of birth: Fresno, California
 c. Occupation: Disabled
 d. Telephone: None
 e. Address: Whereabouts unknown
 926 N. Jackson
 Fresno, California

3. Marriage of natural parents

a. Date: 8-17-59
 b. Place: Fresno
 c. Status:
 (1) Still married
 (2) Dissolved
 a. Date: 1977
 b. Place: Fresno
 (3) Separated on (Date):
 (4) Other (Specify):

4. Legal custody of subject person granted

a. To (Name): Lorraine Brown
 b. By
 (1) Court: Superior
 (2) County: Fresno
 (3) State: California

5. Stepmother (Name):

a. Date of birth:
 b. Place of birth:
 c. Occupation:
 d. Telephone:
 e. Date of marriage:
 f. Place of marriage:
 g. Address: Whereabouts unknown

6. Stepfather (Name):

a. Date of birth:
 b. Place of birth:
 c. Occupation:
 d. Telephone:
 e. Date of marriage:
 f. Place of marriage:
 g. Address: Whereabouts unknown

7. Other children:

a. Name:	b. Sex:	c. Age:	d. Residence:	e. Marital status:
Henry Jeff, Jr.	M	32	Fresno	Married
Lucinda Jaramillo	F	29	Kerman	Separated
Jimmy Jeff	M	(Deceased)		Married
Donna Troxell	F	25	Fresno	
Mary Jeff	F	(Deceased)		
Juanita Brown	F	20	Fresno	Single
Bobby Brown	M	18	w/mother	Single
Danita Brown	F	15	w/mother	Single

PAGE: 2

PROBATION OFFICERS SOCIAL STUDY

COMPLAINANT'S STATEMENT

Attached hereto is the Fresno Police Department Report No. 80-6750.

MINOR'S HISTORY

True Name: Billy Bob Brown

How Verified: Prior records.

Aliases: None

S.S.#: Unknown

Driver's Lic. #: None

School Attending: None. Receives home instruction since Grade: 10th 1978, when minor was present at the time of a homicide, and later testified for the People.

Grade Average: Unknown Attendance: Prior to placement on home instruction, the minor's attendance had been poor, due to the many threats and harassments the minor received, due to his involvement in the murder trial.

Behavior in School:

Activities/Sports:
None reported.

Current or Serious Health Problems:

Mrs. Brown reports Billy has problems with warts, and a knee that snaps out of place occasionally.

Use of Alcohol/Controlled Substances: The minor continues to use alcohol as evidenced by the present petition. The mother says she took Billy to Olive Street Bridge once, but she has not been able to follow through, due to lack of transportation.

Minor Employed: No Where: Earnings:

Billy had worked with his older brother painting houses, but he is not employed at the present.

Community Agencies Currently Involved with Minor and Reason for Referral:
None.

Maintenance/Restitution:
Neither are issues at present.

PRIOR RECORD

Adjudicated Offenses:

P.C. 488
P.C. 647(f)

Date of Disposition:

10-27-77
8-14-79

Disposition:

Prob foc; rel t/mo.
Comm JH 5 wknds; prob
t/8-14-80.
Prob 10-23-80; couns
w/Turtle Lodge.

Probation Contacts and Adjustment:

The probation officer has had numerous contacts with the minor and his family, since the minor was originally placed on probation in 1977. The Probation Officer reports the minor continues to have problems with substance abuse (drinking/sniffing), and that so far referrals for counseling do not seem to work, as the minor fails to follow through. Mr. Johnston recommends short term Juvenile Hall commitment or C.S.W.P.

Minor's Role and Attitude Toward Offense(s):

Billy says he knows that when he is busy, he doesn't have time to get into trouble. He'd rather do C.S.W.P. than weekends in Juvenile Hall.

Date Arrested:

2-28-80

Days in Custody:

4 days J.H.
+ 49 days S.H.D.
53 days total

CONCLUSION

Billy Brown is making his third appearance before the Court within the past eight months, for an offense of public intoxication. Although there have been numerous referrals for substance abuse counseling, it seems that no program has proven to be successful (either the agency doesn't follow through, or the minor doesn't). The minor is receptive to counseling, and it is hoped that the Probation Officer could assist him in getting to the Olive Street Bridge for the initial screening (Mrs. Brown reports transportation is a problem at this time). Although Billy appears to be causing difficulties for other members of his family, it is felt that his substance abuse is still primarily injurious to himself. It is suggested that he be continued on probation, and placed on the Community Service Work Program for 10 to 20 days. Should the minor continue to be involved in substance abuse, it is felt that he should be detained pending a suitable placement, where he could receive appropriate counseling and educational opportunity. At this time, it is hoped the Probation Officer will aid the minor in securing full time employment for at least the summer months.

RECOMMENDATION

IN THE MATTER OF (Name): Billy Bob Brown	Case Number: 46742
--	------------------------------

Hearing set as follows:

- a. Date: **4-21-80**
- b. Time: **10:15 a.m.**
- c. Dept.: **B**

- 2. Petition be dismissed as follows
 - a. Filed on (Date):
 - b. Without prejudice
 - c. With prejudice

- 3. Recommended that subject person
 - a. Remain a ward of this court
 - b. Be adjudged a ward of this court
 - c. Be permitted to remain in the physical custody of (Specify): **Mother, Lorraine Brown**
 - d. For the reason stated in attachment No.: 3d, be temporarily removed from the physical custody of (Specify):
 - e. Be placed on probation, upon the conditions set forth in attachment No.: 3e, and as follows
 - (1) Until (Date): **4-21-81**
 - (2) Without wardship
 - (3) With wardship
 - f. Be committed as follows:
 - (1) For term or period of (Specify): **not less than 10 days nor more than 20 days**
 - (2) To **than 20 days**
 - (a) Juvenile Hall
 - (b) C.K. Wakefield School
 - (c) California Youth Authority, for the reason stated in attachment No.: 3f(2)(c)
 - (d) Other (Specify): **C.S.W.P.**
 - g. Other (Specify):

6. Court consent be granted for the routine medical and dental care of subject person as authorized by the probation officer.

7. Hearing be set as follows

- a. For (Specify):
 - (1) Date:
 - (2) Time:
 - (3) Dept.:
- b. For (Specify):
 - (1) Date:
 - (2) Time:
 - (3) Dept.:

8. Maximum period of confinement as recommended and computed in attachment No.: 8

- a. Single or concurrent offense

(1) Count	(2) Code	(3) Section	(4) Term
1	PC	647(F)	1/2
- b. Consecutive offense, for the reason stated in attachment No.: 8b
 - (1) Principal offense

(a) Count	(b) Code	(c) Section	(d) Term
-----------	----------	-------------	----------
 - (2) Subordinate offense

(a) Count	(b) Code	(c) Section	(d) Term
-----------	----------	-------------	----------

c. Total maximum period of confinement:	6 months
---	-----------------

d. Total credit for time in custody (Days): **53 days**

9. Other (Specify): **Enroll in substance abuse counseling at O.S.B.**

- 4. Restitution be
 - a. Reserved by the court
 - b. Set as follows

(1) Amount	(2) To (Payee)
\$	

- 5. Reimbursement for maintenance be payable
 - a. By (Name):
 - b. Beginning on (Date):
 - c. Amount per day: \$

Submitted on behalf of
JAMES ROWLAND, PROBATION OFFICER

Dated: **April 15, 1980**

By *Al Edwards*
(Signature of deputy probation officer)

Approved on (Date): **April 15, 1980**

By *LeRoy Johnson*
(Signature of supervisor)

Al Edwards

LeRoy Johnson
(Type or print name)

ks (Type or print name)

The foregoing has been read and considered
Dated: **April 28, 1980**

By *Jeffrey Carter*
 Judge Referee of the Juvenile Court

RECOMMENDATION (ATTACHMENT)

IN THE MATTER OF (Name):

Billy Bob Brown

Case Number:

46742

ATTACHMENT NO.: 3a CONDITIONS OF PROBATION

It is recommended that the following conditions of probation be ordered by the court

1. That subject person

- a. Obey all rules and conditions of probation as ordered by the Court or the Probation Officer.
- b. Obey all rules of the C.K. Wakefield School and all directions from the staff and teachers.
- c. Obey all rules of Project S.T.A.R. and all directions of the staff and Probation Officer.
- d. Obey all rules of the Fresno County Juvenile Hall and all directions from the staff, counselors and teachers.
- e. Obey all rules of the Community Service Work Program and all directions of the staff.
- f. Attend school regularly and obey all school rules and all directions of school personnel.
- g. Not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- h. Not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- i. Submit to a search of the person and property, with or without a warrant, by any law enforcement officer, probation officer or school official.
- j. Remain on house arrest until (Date):
- k. Participate in the following counseling program as directed by the Probation Officer (Specify): Olive Street Bridge
- l. Other (Specify):

Remain on 10:00 p.m. curfew until modified by Probation Officer.

ATTACHMENT NO.: 3a

PAGE 6

PROBATION OFFICERS RECOMMENDATION (ATTACHMENT)

COMPUTATION OF MAXIMUM PERIOD OF CONFINEMENT

IN THE MATTER OF (Name): Billy Bob Brown Case Number: 46742

Determination of period of confinement and principal term, if applicable Continued in attachment No.: 1

	COUNT <u>1</u>	COUNT _____	COUNT _____	COUNT _____
a. Offense (Code title abbreviation followed by section number and degree, if any)	<u>PC 647(F)(1)</u>			
b. Penalty range (Lower, middle and upper term)	<u>1/2</u>			
c. Base term computation	(1) Circumstances in aggravation (A) or mitigation (M) recommended	<input type="checkbox"/> A <input type="checkbox"/> M <input checked="" type="checkbox"/> NONE	<input type="checkbox"/> A <input type="checkbox"/> M <input type="checkbox"/> NONE	<input type="checkbox"/> A <input type="checkbox"/> M <input type="checkbox"/> NONE
	(2) Base term (Enter middle term unless aggravation or mitigation recommended)	<u>1/2</u> BASE TERM	BASE TERM	BASE TERM
d. Enhancement clauses (Check all clauses charged and found for each count. Enter greatest term and strike or stay others as recommended. If actual or attempted rape, robbery or burglary, may include 12022.7 and either 12022 or 12022.5		<u>CHGD & FOUND</u> <u>X STAY</u> <u>X STRIKE</u>	<u>CHGD & FOUND</u> <u>X STAY</u> <u>X STRIKE</u>	<u>CHGD & FOUND</u> <u>X STAY</u> <u>X STRIKE</u>
	(1) 12022 - Armed (Firearm) or Use (Weapon)	1 Year	(1) Enter Term	(1) Enter Term
	(2) 12022.5 - Use (Firearm)	2 Years	(2) Enter Term	(2) Enter Term
	(3) 12022.7 - Great Bodily Injury	3 Years	(3) Enter Term	(3) Enter Term
	(4) 12022.6(a) - \$25,000 - \$100,000	1 Year	(4) One Only	(4) One Only
	(5) 12022.6(b) - Over \$100,000	2 Years	(5) One Only	(5) One Only
e. Total term (Items 1c(2) through 1d(1) - (5). Base term plus enhancements. Check offense with greatest principal term or as recommended, unless single offense or concurrent offense recommended.)	<u>1/2</u> Total Term PRINCIPAL	Total Term PRINCIPAL	Total Term PRINCIPAL	Total Term PRINCIPAL

2. Single or concurrent offense

	COUNT	TERM	COUNT	TERM	COUNT	TERM	TOTAL	TERM
a. <input checked="" type="checkbox"/> Current offense	<u>1</u>	<u>1/2</u>					<u>1/2</u>	
b. <input type="checkbox"/> Prior, uncompleted offense							TOTAL	

3. Consecutive offense

a. Principal offense as recommended in item 1e. COUNT (Specify):

(1) Base term of that count (From item 1c(2)) <input type="checkbox"/> Lower <input type="checkbox"/> Middle <input type="checkbox"/> Upper	TOTAL	
(2) Total enhancements imposed on that count (From items 1d(1) - (5))		
(a) <input type="checkbox"/> PC 12022 (1 year) <input type="checkbox"/> PC 12022.5 (2 years) <input type="checkbox"/> PC 12022.7 (3 years)	TOTAL	
(b) <input type="checkbox"/> PC 12022.6(a) (1 year) <input type="checkbox"/> PC 12022.6(b) (2 years)	TOTAL	

b. Subordinate offense - Misdemeanor or other offense not listed in PC 667.5(c) (No enhancements permitted)

	COUNT	1/3	COUNT	1/3	COUNT	1/3	TOTAL	
(1) <input type="checkbox"/> Current offense							TOTAL	
(2) <input type="checkbox"/> Prior uncompleted offense							TOTAL	

c. Subordinate offense - offense listed in PC 667.5(c) (Enhancements permitted)

	COUNT	1/3	COUNT	1/3	COUNT	1/3	TOTAL	
(1) <input type="checkbox"/> Current offense							TOTAL	
(2) <input type="checkbox"/> Prior uncompleted offense							TOTAL	

4. TOTAL MAXIMUM PERIOD OF CONFINEMENT

a. Base term plus additional term (Add items 2a; 2b; 3a(1); 3a(2) (a); 3a(2) (b); 3b(1); 3b(2); 3c(1) and 3c(2))	TOTAL MAXIMUM	<u>1/2</u>
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ATTACHMENT NO.: 8 PAGE:

1. Type of Report <input checked="" type="checkbox"/> Crime <input type="checkbox"/> Casualty <input type="checkbox"/> General Incident		2. Incident Origin <input checked="" type="checkbox"/> Call <input type="checkbox"/> Citizen <input type="checkbox"/> Observ. <input type="checkbox"/> Phone		3. FRESNO POLICE DEPARTMENT D.D. 1005		4. Report No. 80-6750	
5. Date Occurred 2-15-80	6. Time Occurred 1826	7. Day Occurred FRI.	8. Date Reported 2-15-80	9. Time Reported 1826	10. Day Reported FRI.		
11. Report Title (Crime Code, Section, and Definition) 647(F) P.C. UNDER THE INFLUENCE IN PUBL				12. Special Routing <input type="checkbox"/> City Attorney <input type="checkbox"/> O.A. <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Vice <input type="checkbox"/> Other (Specify) <input checked="" type="checkbox"/> Juv. <input type="checkbox"/> Intel.			

13. Location of Occurrence 414 S. DEARING	14. Type of Premises APARTMENT COMPLEX	15. Beat 117 12	16. Zone 21611
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17. Information Included in Report <input checked="" type="checkbox"/> Suspect Statement(s) <input type="checkbox"/> Suspect Vehicle(s)		<input checked="" type="checkbox"/> Witness Statement(s)	<input type="checkbox"/> Property Description <input type="checkbox"/> Physical Evidence	<input checked="" type="checkbox"/> Officer Observations <input type="checkbox"/> Other Statements
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CODE DEFINITIONS: V - Victim; W - Witness; RP - Reporting Party; PC - Person Contacted; IP - Involved Person; PS - Possible Suspect

18. Code V	19. Identifier No. 1 of 1	20. Last Name (Business Name) STATE OF CALIF.	First STATE	Middle OF	21. Race I	22. Sex M	23. D.O.B.
24. Residence Address		City	Zip	25. Residence Phone			
26. Business Address		City	Zip	27. Business Phone			
Code RP	Identifier No. 1 of 1	Last Name (Business Name) BROWN, LOURINE	First LOURINE	Middle E.	Race I	Sex F	D.O.B. 12-5-30
Residence Address 414 S. DEARING		City	Zip	Residence Phone NONE			
Business Address NONE		City	Zip	Business Phone NONE			
Code	Identifier	Last Name (Business Name)	First	Middle	Race	Sex	D.O.B.
	No. of						
Residence Address		City	Zip	Residence Phone			
Business Address		City	Zip	Business Phone			
Code	Identifier	Last Name (Business Name)	First	Middle	Race	Sex	D.O.B.
	No. of						
Residence Address		City	Zip	Residence Phone			
Business Address		City	Zip	Business Phone			

NOTE

Additional Names in Narrative

SUSPECT INFORMATION

28. Identifier No. 1 of 2	29. Last Name BROWN	First BILLY	Middle BOB	30. Race I	31. Sex M	32. D.O.B. 4-9-63	Age 16
33. Hgt. 5'10"	34. Wgt. 180	35. Eyes BRN	36. Hair Color BLK	37. Hair Style STRAIGHT	38. CDL or SS Number UNK.	39. Miscellaneous Descriptors (clothing, tattoos, etc.) 5" SCAR ON CHEST, BLUE SHIRT BLUE LEVIS.	
40. Address 414 S. DEARING		City/Phone	41. Disposition <input checked="" type="checkbox"/> Booked <input type="checkbox"/> Cited	42. Charge(s) PC	43. Citation No. 602 W.Z.C. 647(F)		
Identifier No. 2 of 2	Last Name BROWN	First BOBBY	Middle W.	Race I	Sex M	D.O.B. 10-20-61	Age 18
44. Hgt. 5'10"	45. Wgt. 180	46. Eyes BRN	47. Hair Color BLK	48. Hair Style LONG SHAG	49. CDL or SS Number UNK.	49. Miscellaneous Descriptors (clothing, tattoos, etc.) SCAR UNDER LEFT EYE, LIGHT BLUE SWEAT SHIRT, BK. BLUE NYLON SKI JACKET, LEVIS, BRN. SHOES	
Address 414 S. DEARING		City/Phone	50. Disposition <input type="checkbox"/> Booked <input type="checkbox"/> Cited	51. Charge(s)	52. Citation No.		

Additional Suspects in Narrative

VEHICLE INFORMATION

Additional Vehicles in Narrative

44. Type of Vehicle <input type="checkbox"/> Stolen/ <input type="checkbox"/> Embezzled <input type="checkbox"/> Suspect	<input type="checkbox"/> Recovered Stolen	<input type="checkbox"/> Other (Describe)	45. Vehicle Identification No. (V.I.N.)		46. License Number	47. State
48. Year	49. Make	50. Model	51. Body Style	52. Color(s)	53. Disposition <input type="checkbox"/> Released at Scene <input type="checkbox"/> Left at Scene <input type="checkbox"/> Stored <input type="checkbox"/> Police Hold <input type="checkbox"/> At Large <input type="checkbox"/> Other:	
54. Other Description			55. Address if Vehicle Stored			56. Value \$
57. Registered Owner <input type="checkbox"/> Same as Victim			58. Address of Registered Owner			59. Keys in Veh. <input type="checkbox"/> Yes <input type="checkbox"/> No
60. Veh. Locked <input type="checkbox"/> Yes <input type="checkbox"/> No			61. Location of Recovery (If Combined Report)			62. Originating Agency (Other Than FPD)
63. Agency Case No.			64. I am aware that it is unlawful to make a false report to a police officer. I affirm that the above information is true to the best of my knowledge.			65. Signature [Signature]

66. Reporting Officer(s) F. MERAZ	Rev. 8/79	67. Badge(s) 492	68. Approved By [Signature]	69. Date/Time 2/16/80 0030	70. Page 1 of 4
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1. Type of Report <input checked="" type="checkbox"/> Crime Casualty <input type="checkbox"/> General Incident		2. Incident Origin <input checked="" type="checkbox"/> Call Citizen <input type="checkbox"/> Observ. Phone		3. FRESNO POLICE DEPARTMENT F.D. 1005		4. Report No. 80-6750	
5. Date Occurred 2-15-80	6. Time Occurred 1826	7. Day Occurred FRI.		8. Date Reported 2-15-80	9. Time Reported 1826	10. Day Reported FRI.	
11. Report Title (Crime Code, Section, and Definition) 647(F) P.C. UNDER THE INFLUENCE IN PUBLIC				12. Special Routing <input type="checkbox"/> City Attorney <input type="checkbox"/> D.A. <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Vice <input type="checkbox"/> Other (Specify) <input type="checkbox"/> Juv. <input type="checkbox"/> Intel.			

13. Location of Occurrence 414 S. DEARING		14. Type of Premises APARTMENT COMPLEX	15. Beat 117 12	16. Zone 21611
--	--	---	--------------------	-------------------

17. Information Included in Report <input checked="" type="checkbox"/> Suspect(s) <input checked="" type="checkbox"/> Suspect Statement(s) <input checked="" type="checkbox"/> Witness(es) <input type="checkbox"/> Property Description <input checked="" type="checkbox"/> Officer Observations <input type="checkbox"/> Suspect Vehicle(s) <input type="checkbox"/> Victim Statement(s) <input checked="" type="checkbox"/> Witness Statement(s) <input type="checkbox"/> Other Statements				
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CODE DEFINITIONS: V - Victim; W - Witness; RP - Reporting Party; PC - Person Contacted; IP - Involved Person; PS - Possible Suspect

18. Code V	19. Identifier No. 1 of 1	20. Last Name (Business Name) STATE OF CALIF.			21. Race	22. Sex	23. D.O.B.
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24. Residence Address				City	Zip	25. Residence Phone	
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26. Business Address				City	Zip	27. Business Phone	
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Code	Identifier	Last Name (Business Name)			First	Middle	Race	Sex	D.O.B.
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Residence Address 414 S. DEARING				City	Zip	Residence Phone NONE	
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Business Address NONE				City	Zip	Business Phone NONE	
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Code	Identifier	Last Name (Business Name)			First	Middle	Race	Sex	D.O.B.
------	------------	---------------------------	--	--	-------	--------	------	-----	--------

Residence Address				City	Zip	Residence Phone	
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Business Address				City	Zip	Business Phone	
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Code	Identifier	Last Name (Business Name)			First	Middle	Race	Sex	D.O.B.
------	------------	---------------------------	--	--	-------	--------	------	-----	--------

Residence Address				City	Zip	Residence Phone	
-------------------	--	--	--	------	-----	-----------------	--

Business Address				City	Zip	Business Phone	
------------------	--	--	--	------	-----	----------------	--

Additional Names in Narrative

SUSPECT INFORMATION

28. Identifier No. 1 of 2	29. Last Name BROWN			First BILLY	Middle BOB	30. Race I	31. Sex M	32. D.O.B. 4-9-63	Age 16
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33. Hgt. 5'10"	34. Wgt. 180	35. Eyes BRN	36. Hair Color BLK	37. Hair Style STRAIGHT	38. CDL or SS Number UNK.	39. Miscellaneous Descriptors (clothing, tattoos, etc.) 5" SCAR ON CHEST, BLUE SHIRT, BLUE LEVIS.			
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40. Address 414 S. DEARING				City/Phone	41. Disposition <input checked="" type="checkbox"/> Booked <input type="checkbox"/> Cited <input type="checkbox"/> At Large <input type="checkbox"/> Other	42. Charge(s) 602 W.T.C. 647(F)	43. Citation No. P.C.
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Identifier No. 2 of 2	Last Name BROWN			First BOBBY	Middle W.	Race I	Sex M	D.O.B. 10-20-61	Age 18
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44. Hgt. 5'10"	45. Wgt. 180	46. Eyes BRN	47. Hair Color BLK	48. Hair Style LONG SHAG	49. CDL or SS Number UNK.	49. Miscellaneous Descriptors (clothing, tattoos, etc.) SCAR UNDER EYE, LIGHT BLUE SWEATSHIRT, DK. BLUE NYLON SKI JACKET, LEVIS, BRN. SHOES			
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Address 414 S. DEARING				City/Phone	Disposition <input type="checkbox"/> Booked <input type="checkbox"/> Cited <input checked="" type="checkbox"/> At Large <input type="checkbox"/> Other	Charge(s)	Citation No.
---------------------------	--	--	--	------------	---	-----------	--------------

Additional Suspects in Narrative

VEHICLE INFORMATION

44. Type of Vehicle <input type="checkbox"/> Stolen/Embezzled <input type="checkbox"/> Recovered Stolen <input type="checkbox"/> Other (Describe)	45. Vehicle Identification No. (V.I.N.)		46. License Number	47. State
--	---	--	--------------------	-----------

48. Year	49. Make	50. Model	51. Body Style	52. Color(s)	53. Disposition <input type="checkbox"/> Released at Scene <input type="checkbox"/> Left at Scene <input type="checkbox"/> Stored <input type="checkbox"/> Police Hold <input type="checkbox"/> At Large <input type="checkbox"/> Other:			
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54. Other Description				55. Address if Vehicle Stored			56. Value \$
-----------------------	--	--	--	-------------------------------	--	--	-----------------

57. Registered Owner <input type="checkbox"/> Same as Victim				58. Address of Registered Owner			59. Keys in Veh. <input type="checkbox"/> Yes <input type="checkbox"/> No	60. Veh. Locked <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--	--	--	---------------------------------	--	--	--	---

61. Location of Recovery (if Combined Report)				62. Originating Agency (Other Than FPD)			63. Agency Case No.
---	--	--	--	---	--	--	---------------------

64. I am aware that it is unlawful to make a false report to a police officer. I affirm that the above information is true to the best of my knowledge.				65. Signature [Signature]			
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66. Reporting Officer(s) F. MERAZ		Rev. 8/79	67. Badge(s) 492	68. Approved By [Signature]	69. Date/Time 2/16/80 0030	70. Page 1 of 4
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FRESNO POLICE DEPARTMENT

1. Report No. **80-6750**

2. Date Occurred **2-15-80** 3. Time Occurred **1826** 4. Day Occurred **FRI.**

5. Date Reported **2-15-80** 6. Time Reported **1826** 7. Day Reported **FRI.**

8. Crime Code Section **147(F)** 9. Code **P.C.** 10. Crime Definition **UNDER THE INFLUENCE IN PUBLIC.** 11. Crime Classification

12. Additional Crimes Yes No 13. Additional Charges Yes No 14. Crime Class Code

Location of Occurrence **414 S. DEARING** 16. Beat **117 12** 17. Zone **216161**

18. Victim Name (Last, First, Middle) Firm Name if Business **STATE OF CALIF.** 19. Race 20. Sex 21. D.O.B. 22. Victim's Residence Within City Limits Out of State Within County/State Transient/Foreign

LOCATION OF OCCURRENCE

23. RESIDENCE BUSINESS PUBLIC PREMISES

Apartment Bank/S&L/Credit Union Drug Store Motel/Hotel Church

Condominium Bar Fenced Storage Office Building Downtown Mail

Duplex/Fourplex Bicycle Sales Finance & Loan Pawnshop/Secondhand Hospital

Garage Attached Box Car Gas Station/Garage Restaurant/Fast Foods Park/Playground

Garage Detached Car/Motorcycle Sales Jewelry Store Sporting Goods/Guns Parking Lot (City Owned)

Hotel Room Clothing Store Laundromat/Cleaners Supermarket Parking Lot (Other)

House Coin Op. Machine/Phone Booth Liquor Store Theater/Drive-in Public Building

Mobile Home Construction Site Longhaul Trailer TV/Radio/Appliances School

Motel Room(s) Convenience Store Manufacturing Firm Warehouse Street/Highway/Alley

Other: Department Store Medical Office Other: Other:

BURGLARY M.O. INFORMATION

24. Type of Entry Force No Force Attempt Day Night Unknown

25. Point of Entry

Windows: Non-movable Sliding Cranking Double Hung Louvered Wind Wing Other:

Doors: Single Swing Double Swing Sliding Overhead Garage Other:

Other: Floor Roof Wall On Premises Unknown Other:

26. Location of Entry Front Rear Side Other:

27. Location of Exit

28. Method of Entry Unlocked/Open Pried Broke Glass Channel Locks Key/Sliplock Body Force Cut Padlock Removed Barrier Explosive Vehicle Force Unknown Other:

29. Alarms None Audible Silent Malfunction Not Set Bypassed Disabled

ROBBERY/ASSAULT M.O. INFORMATION

30. Means of Attack Firearm Simulated Weapon Other Weapon/Specify Knife Physical Force/No Weapon Threat Only, No Force or Weapon

STOLEN/RECOVERED PROPERTY SUMMARY

(1) Cash/Notes	(2) Jewelry Metals	(3) Clothes Furs	(5) Office Equipment	(6) TV/Radio/Camera	(7) Firearms	(8) Household Goods	(9) Consumable Goods	(10) Livestock	(11) Misc. Stolen	Totals Stolen
Stolen	Stolen	Stolen	Stolen	Stolen	Stolen	Stolen	Stolen	Stolen	Stolen	Stolen
Recovered	Recovered	Recovered	Recovered	Recovered	Recovered	Recovered	Recovered	Recovered	Recovered	Recovered

FOLLOW-UP INFORMATION

32. Related Case Numbers 33. Are There Suspects in Custody? Yes No Are There Suspects Outstanding? Yes No Unknown

34. Solvability Factors

Yes No Is There a Known Witness to the Crime? Yes No Can a Suspect Vehicle be Identified?

Yes No Can a Suspect be Named? Yes No Is Any Stolen Property Traceable?

Yes No Can a Suspect be Located? Yes No Is a Significant M.O. Present?

Yes No Can a Suspect be Described? Yes No Is Significant Physical Evidence Present?

Yes No Can a Suspect be Identified? Yes No Are Exceptional Circumstances Present?

35. Reporting Officer Recommends Office Review Investigator Follow-Up 36. Reporting Officer's Supervisor Review Concur Office Review Invest. Follow-Up 37. Case Screening Officer Concur Office Review Invest. Follow-Up

38. Action Taken at Time of Report Arrest(s) Made Citation(s) Issued Form Letter Left Processed For Latents Latents Lifted I.B. at Scene I.B. Notified Vehicle Stored Property/Evidence Booked

REPORTING OFFICER/SUPERVISOR

39. Reporting Officer(s) **F. MERAZ** Rev. 12/78 40. Badge(s) **492** 41. Approved By **Schwartz** 42. Date **2/16/80** 43. Time **2030**

RECORDS USE ONLY

44. Cleared By: Juvenile Arrest Adult Arrest Exception Date 45. Recovery 46. Unfounded 47. Reclassification 49. Date 50. Date 51. Date

This Copy was prepared by the Fresno Police Department on (date) for the official use of: Name: Agency: and may not be revealed to any unauthorized persons.

2. Victim: Last Name, First, Middle

STATE OF CALIF.

3. This Report Contains:

Narrative

Property/Evidence

NARRATIVE

HOUSE WHEN I CAME UP. I ASKED THE MOTHER IF THAT WAS THE CASE AND IF IT WAS A POSSIBLE SOLUTION AS FAR PREVENTING FURTHER VIOLENCE TONIGHT. SHE STATED THE FATHER HAD A WORSE DRINKING PROBLEM THAN THE BOYS.

I THEN ADVISED HER THAT I WAS GOING TO ARREST BILLY FOR OUT OF CONTROL/DRUNK. SHE THEN BECAME RELUCTANT TO HAVE HIM ARRESTED STATING MAYBE IT WOULD BE BETTER IF THE FATHER TOOK FULL CUSTODY OF BILLY. I ADVISED HER I WAS NOT GOING TO ALLOW BILLY TO GO TO THE FATHER AFTER SHE HAD TOLD ME HE HAD A DRINKING PROBLEM. I TOLD HER I WOULD ARREST BILLY FOR DRUNK IN PUBLIC AND LET THE P/P TEAM DECIDE WHAT TO DO WITH HIM.

I THEN PLACED BILLY IN MY PATROL UNIT AND READ HIM HIS RIGHTS PER THE DEPT. ISSUED MIRANDA CARD. I TRANSPORTED HIM TO THE P/P TEAM FOR THEIR DISPOSITION.

ADDITIONAL INFORMATION, WHEN BILLY CONTACTED ME I WAS JUST GETTING OUT OF MY VEHICLE PARKED ACROSS THE STREET FROM THE APARTMENT COMPLEX WHERE THE FIGHT TOOK PLACE.

4. Reporting Officer(s)

F. MERAZ

Rev. 12/78

5. Badge(s)

492

6. Approved By:

[Signature]

7. Date/Time

2/14/80 0030

8.

Page 3 of 4

F

(HD)

Distribution: 4

FILED

APR 22 1980

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

On 4/7/80 Minor (Ct.#1)
 (602) Admitted 2/29/80
 Subsequent Petition

1) PC647f(2/15/80)M.
 2) -10851(2/26/80)F. (MV-File #654MBQ)-
 Dismissed(IOE) on 3/19/80

CALEN LARSON, Clerk
Carolina O'Quinn
 DEPUTY

Mailing Required

CLK 6011.00 E08-70

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT

IN RE: Billy Bob BROWN
 A minor born: 4-9-63

DATE: 4-21-80 DEPT.: B
 ACTION NO. 46742 FILED: 2-29-80 Subseq.

Jay M. Carter Temporary Judge
W. Murphy Reference Clerk
P. Stephan Reporter
P. Stephan Bailiff

PRESENT BEFORE THE COURT:
 MINOR, K. EVERSON
 FATHER/MOTHER, D. MORSE
 D.P.O., D. MORSE
 D.D.A., P. STEPHAN
 OTHER:

WITNESSES SWORN:

DISPOSITION

THE COURT:
 Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
 Read and explained petition.
 Advised person(s) present of nature, procedure and consequences of hearing.
 Determined residence and age of minor.
 Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.

FINDINGS:
 Notice of Hearing was duly served/waived.
 Allegation(s) of petition/as amended found true/as to count(s) _____ dismissed.
 Minor is _____ a person described by Section 601/602.
 Minor is a person unfit for Juvenile Court.
 Legal residence is Fresno _____ County.
 Time of hearing and notice was duly waived.

GRANTED REQUEST FOR CONTINUANCE BY MINOR'S COUNSEL
MOTHER CALLED DPD MORSE - NO TRANSPORTATION

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:
 Continued need appears for the court's protective care of said minor.
 The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
 Minor has been tried on probation and has failed to reform.
(X) NO FURTHER CONTINUANCES

IT IS HEREBY ORDERED:
 Minor placed on six months probation w/o wardship.
 Minor adjudged/remains ward of the court in charge of the probation officer and be on probation until _____
 Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
 Minor placed in custody of _____
 County to pay authorized maintenance/until A.F.D.C. is established.
 Transfer to _____ County.
 Minor committed to _____
 Minor detained in Juvenile Hall pending _____
 Court reserves right to set restitution.
 Pay restitution in amount of \$ _____
 Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
 Continued to 4-21-80 @ 9 AM for disposition. (DEPT B)

OTHER ORDERS: DPD MORSE TO NOTIFY MINOR & MOTHER

CONDITIONS OF PROBATION:
 Obey and respect authority of _____ parents.
 Obey all laws.
 Shall not associate with anyone disapproved of by: _____ parent(s), probation officer or with: _____
 Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
 Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
 Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
 Remain on house arrest until probation officer modifies or _____
 Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
 Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION: _____
 ADDITIONAL/CONTINUED HEARINGS: _____
 Filed: Fresno, California: 4-21-80
Jay M. Carter
 Temporary Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

 Judge of the Superior Court

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink) (602)

1) PC 647f(2/15/80)M.
 2) 10851(2/26/80)F. (MY-LIEV-#654-MPG)-
 Dismissed (IOE) on 3/19/80

Space B of County Clerk Only

FILED

APR 08 1980

VALERIE LARSON, Clerk

Barbara O. Kuan

CLK 6011.00 E05 70 00 00

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN
 A minor born: 4-9-63

DATE: 4-7-80 DEPT.: B
 ACTION NO. 46742 FILED: 2-29-80 Subseq.

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

Judge: JAY M. CARTER TEMPORARY JUDGE
 Refereed: N.F. MURPHY
 Clerk: T. NUTT
 Reporter: T. FLETCHER
 Bailiff: _____
 OTHER: _____

AD JUDICATION (COUNT #1)
 THE COURT: ADJUDICATED
 Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
 Read and explained petition. SUBSEQUENT 2/29/80
 Advised person(s) present of nature, procedure and consequences of hearing. AS TEMPORARY JUDGE FOR PROBATION VIOLATIONS 2/29/80
 FINDINGS:
 Notice of Hearing was duly given. AS TEMPORARY JUDGE FOR PROBATION VIOLATIONS 2/29/80
 Allegation(s) of petition/answer found true/as to counts. REASONABLE DOUBT, AMISSEMEANER BEYOND REASONABLE DOUBT.

Determined residence and age of minor. FACTUAL
 Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witness. NEW
 Admitted counsel. MINOR VOLUNTARILY SIGNED DECLARATION BY JUVENILE AND STATES IT WAS READ AND MINOR FULLY UNDERSTANDS ALL LEGAL RIGHTS, COURT'S POWERS, DISPOSITIONAL POSSIBILITIES & ADMISSON CONSEQUENCES CONTAINED THEREIN
 Minor is _____ a person described by Section 602(602)
 Minor is a person unfit for juvenile court.
 Legal residence is Fresno 470 N. JACKSON County FRESNO 93722
 Time of hearing and notice was duly waived. DECLARATION AMENDED

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

Continued need appears for the court's protective care of said minor.
 The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s). MINOR'S "DECLARATION" ACCEPTED & FILED.
 IT IS HEREBY ORDERED: OTHER FINDINGS: MINOR'S ADVISED & HE UNDERSTANDS MAXIMUM PHYSICAL CONFINEMENT FOR PC 647f IS 6 MONTHS

Transfer to _____ County.
 Minor committed to _____
 Minor detained in Juvenile Hall pending _____
 Court reserves right to set restitution:
 Pay restitution in amount of \$ _____
 Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance. Continued to 4-21-80 @ 10 AM for disposition DEPT. B V

CONDITIONS OF PROBATION:

Obey and respect authority of _____ parents.
 Obey all laws.
 Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
 Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
 Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by _____
 Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication. X
 Remain on _____ until probation officer modifies or _____
 Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official. X
 Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION: ORDER: TEMPORARY JUDGE STIPULATION, DULY EXECUTED, IS FILED.

ADDITIONAL/CONTINUED HEARINGS:

Held: Fresno, California: 4-7-80
Jay M. Carter
 TEMPORARY JUDGE of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Judge of the Superior Court

- W/O -- Without
- J.H. -- Juvenile Hall
- F.O.C. -- Further Order of Court
- C.Y.A. -- California Youth Authority
- S.S. -- Suspended
- P.O. -- Probation Officer
- W.P. -- Juvenile Hall Work Program
- C.K.W.S. -- C.K. Wakefield School
- 601/602

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702**

For Court Use Only

FILED

APR 08 1963

GALEN LARSON, CLERK

Sarkis O'Kuan

IN THE MATTER OF (Name and address):

Billy Bob Brown

Age:

16

Date of birth:

4/9/63

CLK 5036.00 E09-78 R00-00

CASE NUMBER:

46742

DECLARATION AND ACKNOWLEDGMENT OF RIGHTS (JUVENILE)

DECLARATION OF JUVENILE

1. Concerning myself
 - a. My true name is:
 - b. My birthdate is:
 - c. My current address is:
 - d. My grade in school is:

2. Concerning my family
 - a. My father's name is:
 - b. His address is:
 - c. My mother's name is:
 - d. Her address is:

3. Concerning the charge against me
 - a. I understand that a petition has been will be filed.
 - b. The charge has been fully explained to me by (Name and title):
 - c. The nature of the charge is
 - (1) *P.C. 647 (F)* (3)
 - (2)
 - (4)
 - (5)
 - (6)
 - d. I understand that, if I am to appear in court, the procedure is started when a petition, which tells me of the charge against me, is filed.

4. Concerning my constitutional and other legal rights, I have the right to
 - a. Have an attorney represent me at all court proceedings and, if I am unable to afford an attorney, I have the right to have the court appoint an attorney to represent me
 - b. If detained, have a hearing before the court, within 48 hours from the time I was first detained, excluding days in which the court is closed, to determine if I should be released or detained while waiting for the next court hearing
 - c. Have a hearing before the court to determine if the charge against me is true or false, within 30 calendar days from the date the petition is filed or within 15 court days from an order detaining me, unless I waive such time limits
 - d. Have my parent or guardian present at all times during a court hearing, and in addition, any other person with the permission of the court
 - e. Exercise my privilege against self-incrimination by remaining silent and not making a statement or testifying. I understand that, if I make a statement or testify, anything I say may be used against me in the hearing or in any other proceeding *XBB*
 - f. Present evidence in my favor and have the court compel any witness or evidence I may have on my behalf to be present or brought to the hearing. This right also extends to my parent or guardian and attorney
 - g. See, hear and question the person who prepared any police report, probation report, or other document submitted by the petitioner and to have my attorney cross-examine such person on my behalf, and in my presence *XBB*
 - h. Have the charge dismissed unless the court, after hearing all of the evidence, finds the charge to be true beyond a reasonable doubt *XBB*

5. If the court finds the charge to be true beyond a reasonable doubt or I admit the charge, I have the right to have a hearing before the court to determine what action the court should take.

6. I understand that I or my parent or guardian may apply in writing for a rehearing of any matter heard before a Juvenile Court Referee. I understand that a request for a rehearing before a Judge of the Juvenile Court must be made no later than 10 days after a copy of the Referee's order is served.

7. I understand that my parent or guardian may be held liable, according to their financial ability, for the cost incurred by the County for my maintenance at Juvenile Hall or C.K. Wakefield school, as well as the cost of having an attorney appointed and probation services.

WAIVED AS INDICATED

The singular includes the plural.

(Continued on reverse)

**DECLARATION AND ACKNOWLEDGMENT OF RIGHTS
(JUVENILE)**

8. I understand that, if I admit the charge against me, I will be giving up my constitutional and other legal rights.

9. If the charge against me is found true or I admit the charge, the things that can happen to me are:

- a. Being placed on formal probation without wardship for a period of six months or on probation with wardship until I am 21 years old.
- b. Having reasonable conditions concerning my custody, control, supervision, care and conduct imposed upon me by the court.
- c. Being required to perform community service work for a specified period of time.
- d. Being adjudged a ward of the court.
- e. Being removed from my home and placed in a suitable foster home, group home, school or private institution.
- f. Being committed to Fresno County Juvenile Hall.
- g. Being committed to C.K. Wakefield School or a similar place for a period not to exceed one year, subject to being extended on an annual review by the court.
- h. Being sent to some other placement, school or institution which can help me with my problem and rehabilitation.
- i. Being committed to the California Youth Authority.

10. Do you understand all of your above mentioned rights? YES NO (If no, explain):

11. Do you have any questions concerning your rights? YES NO (If yes, specify):

12. Do you freely and voluntarily admit the charge? YES NO

13. Has anyone promised you anything or threatened you or any member of your family to cause you to admit the charge? YES NO (If yes, explain):

14. Do you understand that what will happen to you will be decided entirely by the court? YES NO

15. Are you admitting the charge because it is, in fact, true? YES NO

What did you do that makes you believe the charge is true? (Give the date and a brief statement, in your own words, of what happened):

On (Date): Feb 15, 1980 I drank some beer and was intoxicated in a public place.

17. Knowingly and fully understanding all of the above, I freely, willingly and voluntarily, without any threats or promises (Except as indicated in item 13) being made to me, give up my right to further instructions by the court. I further give up (Waive) my rights as indicated by my initials in item 4. (Place your initials after each right in item 4 which you give up (Waive)).

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on

(Date): 4/7/80 X Billy Brown
Signature

DECLARATION OF PARENT, GUARDIAN OR RELATIVE

I declare that I am familiar with the foregoing declaration of the juvenile and I concur with said declaration. No threats or promises (Except as indicated in item 13) were made to the minor or myself in order to induce the minor to sign the foregoing declaration. The declaration was signed voluntarily only after the minor's constitutional and other legal rights were fully explained to and understood by the minor and myself. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on

(Date): _____
Signature Father Mother Guardian
 Relative (Relationship):

DECLARATION OF PROBATION OFFICER OR ATTORNEY

I declare that I fully explained all of the foregoing Declaration of Juvenile to the minor and the minor's parent, guardian or relative. I also fully explained the foregoing Declaration of Parent, Guardian to said declarant. I further declare that after stating that they understood all of the foregoing and possible consequences, they voluntarily, without any threats or promises (Except as indicated in item 13), signed said declarations and I witnessed said signatures. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on

(Date): 4/7/80 Wolyn M. Morse
Signature Probation Officer Attorney

DECLARATION OF INTERPRETER ATTORNEY Petition for Writ of Habeas Corpus - EXHIBITS

SUPERIOR COURT OF CALIF. COUNTY OF FRESNO
JUVENILE COURT
742 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

For Court Use Only

FILED

APR 08 1980

IN THE MATTER OF (Name):

Billy Bob Brown

Subject Person

Barbara O'Kear

Age: *16*

Date of birth: *4/9/63*

STIPULATION FOR, CONSENT TO ACT AND OATH OF OFFICE AND ORDER OF APPOINTMENT AS TEMPORARY JUDGE (JUVENILE)

CASE NUMBER:

46742

1. Each of the parties litigant signing below stipulates to have this matter tried and heard before a temporary judge who is a member of the State Bar as follows:

a. Person agreed upon to act as temporary judge:

- (1) Name: Jay M. Carter, Fresno County Juvenile Court Referee
- William H. Sanderson, Fresno County Juvenile Court Referee
- Other (Name):

- (2) Business address: 742 South Tenth Street, Fresno, California 93702
- Other (Specify):

b. Petition (if more than one petition, each must be clearly identified)

- (1) Filed on (Date): *2/29/80 SUBSEQUENT*

- (2) Will be filed as an early disposition matter and each signature below will be reaffirmed by date and initials at the time of the hearing before this stipulation will be effective.

2. Each of the parties litigant signing this stipulation has been advised and understands that:

- a. the temporary judge will have the full judicial powers of a judge of the juvenile court;
- b. there will be no right to apply for a rehearing of this matter before another judge of this court under Sections 252, 253 and 254 of the Welfare and Institutions Code or Rule 1319, California Rules of Court, after being tried or heard by the temporary judge; and
- c. the temporary judge will act in this matter until a final determination has been made or the matter has been assigned to another judge or there is a stipulation for another temporary judge.

3. Subject person waives the right to have a parent or guardian present at this hearing

held on (Date): Initials Subject Person Initials Attorney

4. Dated: *4/7/80* *Billy Brown*
(Signature of subject person)

5. Dated: *4/7/80* *Carolyn M. Morse*
(Signature of attorney for subject person) Not required

6. Dated: *4/7/80* *Louisa Brown*
(Signature of mother) Not required

7. Dated:
(Signature of attorney for mother) Not required

8. Dated:
(Signature of father) Not required

9. Dated:
(Signature of attorney for father) Not required

10. Dated: *4-7-80*
(Signature of District Attorney)
(Continued on reverse)

IN THE MATTER OF (NAME): Billy Bob Brown	CASE NUMBER: 46745
--	------------------------------

- 11. Dated: _____ (Signature of adult relative) Not required
- 12. Dated: _____ (Signature of attorney for adult relative) Not required
- 13. Dated: _____ (Signature of guardian) Not required
- 14. Dated: _____ (Signature of guardian) Not required
- 15. Dated: _____ (Signature of attorney for guardian) Not required

**CONSENT TO ACT AND OATH OF OFFICE
AS TEMPORARY JUDGE**

16. I hereby consent to act as the temporary judge in the foregoing matter, and do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me
on (Date): _____ (Signature)

By _____
Deputy Fresno County Clerk

**ORDER OF APPOINTMENT
AS TEMPORARY JUDGE**

17. Pursuant to the foregoing stipulation and consent to act and oath of office, the person agreed upon to act as temporary judge set forth in item 1a(1) of said stipulation and taking the foregoing consent to act and oath of office as temporary judge is appointed to act as the temporary judge in this matter and shall serve as such until a final determination has been made or until the matter has been assigned to another judge or there is a stipulation and order of appointment for another temporary judge.

Dated: _____ Presiding Judge of the Juvenile Court

18. A certified copy of the consent to act and oath of office and order of appointment as temporary judge for the Fresno County Juvenile Court Referee set forth in item 1a(1) of the foregoing stipulation is attached.

FILED

FEB 04 1980

GALEN LARSON, Clerk

Lee Selma

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
742 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

--0--

CONSENT TO ACT AND OATH OF OFFICE AS TEMPORARY JUDGE

I hereby consent to act as a temporary judge of the Fresno County Juvenile Court in any matter where the parties litigant so stipulate; do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me
on (Date): FEBRUARY 04, 1980

Jaym. Carter
(Signature of Fresno County Juvenile Court Referee)
JAYM. CARTER

By *Lee Selma*
Deputy Fresno County Clerk

ORDER OF APPOINTMENT AS TEMPORARY JUDGE

Upon the written stipulation of the parties litigant being filed with the court in any matter before the Fresno County Juvenile Court, the Fresno County Juvenile Court Referee taking the foregoing consent to act and oath of office as temporary judge is appointed to act as the temporary judge in said matter and shall serve as such until a final determination has been made or the matter has been assigned to another judge or there is a stipulation and order of appointment for another temporary judge.

The Clerk of this court is directed to attach a certified copy of the foregoing consent to act and oath of office and order of appointment as temporary judge to any stipulation so filed.

Dated: FEBRUARY 04, 1980

Pauline Davis Hewson
Presiding Judge of the Juvenile Court

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a correct copy of the original on file in this office.

Dated: APR 7, 1980

GALEN LARSON,
COUNTY CLERK, By *M. J. Murphy*
Deputy County Clerk



IN THE MATTER OF (NAME):
Billy Bob Brown

CASE NUMBER:
4674

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

4/7/80
10:30 AM
(B)
ADJUDIC

MINOR : BROWN, BILLY S.H.D.C. : DALE McANULTY
D.O.B. : MARCH 9, 1963 PROBATION : 112528
ACTION : 46742

SUPPLEMENTAL

The above minor was placed on Supervised Home Detention on March 3, 1980. Since the last adjudication report was written on March 19, 1980, there have been no apparent contract violations.

During the past two weeks, Billy has been working with his brother, who is the manager of a house painting business. This employment is soon to end however. Billy is still continuing with his evening home instruction program. Overall, his time is well filled with activities and he seems to be handling the situation well.

Billy has yet to enroll in any type of alcoholic program, but he does have a tentative date scheduled for an interview at the Olive Street Bridge. Billy is continually being reminded that he must follow the court directive and seek out help for his drinking problem. However, due to the prolonged illness of his mother, appointments have been difficult for him to keep.

It is recommended that Billy be allowed to continue on the Supervised Home Detention Program until all court proceedings are completed.

COURT : ADJUDICATION
DATE : APRIL 7, 1980
REPORT : APRIL 2, 1980

by Deau. McNulty

Distribution: 4

Space for use of County Clerk Only

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green) (602)
- 4. Probation Officer (Pink)

1) PC 647f(2/15/80)M.
 2) VC 10851(2/26/80)F.(MV Lic.#654 MBG)

FILED

MAR 20 1980

A COPY OF THIS ORDER WAS SERVED
 UPON THE MINOR IN OPEN COURT

() Mailing Required

AG 1100 E08-70 R 04-74

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT

Barbara Larson, Clerk
 Subsequent

IN RE: BILLY BOB BROWN

DATE: 3-19-80

DEPT.: B

A minor born: 4-9-63

ACTION NO. 46742

FILED: 2-29-80

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

Judge: MINOR, FATHER/MOTHER
 Referee: D.P.O. LITANER
 Clerk: D.P.O. NIKOPS
 Reporter: D.D.A. P. STEPHAN
 Bailiff: OTHER:

ADJUDICATION

THE COURT: GRANTS DA REQUEST FOR CONTINUANCE (FOR COURT #1)
 Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses. *(MICHAEL FITZ)*
 Read and explained petition. *(WITNESSES OK)*
 Advised person(s) present of nature, procedure and consequences of hearing. *(GRANTS DA MOTION TO DISMISS COURT #1)*
 Determined residence and age of minor.
 Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses. *(VICTIM NIKOPS TO DP OF CHANGE)*

FINDINGS:
 Notice of Hearing was duly served/waived.
 Allegation(s) of petition as amended found true. *AS TO*
 County *#2 (VICTIM NIKOPS)* dismissed. *INTAKE INTERVIEW OF NIKOPS (from 1034 N. Cedar)*
 Minor is a person described by Section 601/602.
 Minor is a person unfit for Juvenile Court.
 Legal residence is Fresno *414 S. Dearing* County, Fresno (Amended) *(from 1034 N. Cedar)*
 Type of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:
 Continued need appears for the court's protective care of said minor.
 The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s). *1-HOUR ESTIMATED FOR COURT #1*

IT IS HEREBY ORDERED:
 Minor placed on six months probation w/o wardship.
 Minor adjudged/remains ward of the court in charge of the probation officer and be on probation until
 Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
 Minor placed in custody of _____
 County to pay authorized maintenance/until A.F.D.C. is established.
 Transfer to _____ County.
 Minor committed to _____
 Minor detained in Juvenile Hall pending _____
 Court reserves right to set restitution.
 Pay restitution in amount of \$ _____
 Father/Mother reimburse _____ county \$ _____ per day/month for _____
 Continued to _____ for _____
 OTHER ORDERS: *MINOR TO RETURN TO COURT #1* *10:30 AM #1* *ASIN* *ASIN*

CONDITIONS OF *RELEASE*
 Obey and respect authority of _____ parents.
 Obey all laws.
 Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with:
 Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
 Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
 Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
 Remain on *HOME DETENTION* *ASIN* until probation officer notifies of
 Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
 Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:
 ADDITIONAL/CONTINUED HEARINGS:
 Date: Fresno, California: *3-19-80*
 Judge of the Superior Court: *Jay M. Carter*

THE FOREGOING ORDER IS HEREBY APPROVED:
 W/O - Without J.H. - Juvenile Hall P.O.C. - Further Order of Court C.Y.A. - California Youth Authority
 S.S. - Suspended P.O. - Probation Officer W.P. - Juvenile Hall Work Program C.K.W.S. - C.K. Wakefield School 601/602
 Petition for Writ of Habeas Corpus - EXHIBITS
 Page 1907

Distribution: 4

- 1. Clerk's Minutes (Blue)
- 2. Probation Officer (Pink)
- 3. Probation Officer (Pink)
- 4. Probation Officer (Pink)

PC 647 FM
 O C I O R T F
 Handed PC 647 FM
 PC 647 FM with
 PC 647 FM

FILED for file of County Clerk Only

MAR 12 1980

Barbara J. Kuan

CLK 6011.00 E08-70 R 04-74

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT**

IN RE: Billy Bob BROWN

DATE: 3-10-80
 ACTION NO. 46742

DEPT.: C
 FILED: 2-29-80

A minor born: 4-9-63

PRESENT BEFORE THE COURT

<u>W.H. Sanders</u> Judge	<input checked="" type="checkbox"/> MINOR	<u>[Signature]</u> MOTHER
<u>[Signature]</u> Referee	<input checked="" type="checkbox"/> D.P.O.	<u>[Signature]</u>
<u>[Signature]</u> Clerk	<input checked="" type="checkbox"/> D.P.O.	<u>[Signature]</u>
<u>[Signature]</u> Reporter	<input checked="" type="checkbox"/> D.D.A.	<u>[Signature]</u>
<u>[Signature]</u> Bailiff	<input checked="" type="checkbox"/> OTHER: <u>Uncle</u>	

WITNESSES SWORN:

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.

- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

Confirm

1 hr

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____
- Court(s) _____ dismissed.

- Minor is _____ a person, described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno _____ County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).

- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remains ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____/Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.

- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____
- Continued to 3-19-80 2/30 P.M. *for [Signature]*

OTHER ORDERS:

Minor to return for hearing

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 3-10-80

[Signature]
 /Referee of the Superior Court
 Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Distribution: 4

- 1. County Clerk's File
- 2. Clerk's Minutes
- 3. Probation Office File
- 4. Minor

PC 647 FM
C 10851 F

A COPY OF THIS ORDER WAS SERVED
UPON THE MINOR IN OPEN COURT.

FILED for of County Clerk Only

MAR 06 1980

GALEN LARSON, Clerk

CLK-6013.00 203-72 403/73

Barbara O'Kuan

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN *T.H. T.B.D.*
4-9-63

DATE: 3-3-80 DEPT: C
ACTION NO. 46742 FILED: 2-29-80

A minor born:

PRESENT:

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

<u>W.H. Henderson</u>	Judge	<input checked="" type="checkbox"/>	MINOR	<u>Reverton</u>	FATHER/MOTHER
<u>Earl Browne</u>	Referee	<input checked="" type="checkbox"/>	D.P.O.	<u>Emose</u>	
<u>M. Bebenhausen</u>	Clerk	<input checked="" type="checkbox"/>	D.P.D.	<u>Stephen</u>	
	Reporter	<input checked="" type="checkbox"/>	D.D.A.		
	Bailiff		OTHER:		

THE COURT:

Advised minor of rights to counsel, against self-incrimination, and to confrontation and cross-examination of persons examined.
 Advised persons present of reason minor was placed in custody.
 Advised persons present of nature of juvenile court proceedings.
 Read petition to persons present.
 Appointed District Attorney to represent minor.
 Minor waived right to Counsel (with concurrence of parent).
 Other: MRS. Henderson

Appointed Public Defender to represent minor and/or parent(s).
 Accepted minor's admission to petition after minor waived his right to a jurisdictional hearing and admitted the petition with consent of counsel after waiving his rights against self-incrimination and confrontation by and cross-examination of witnesses.
 Heard relevant evidence as offered by the minor, his parent(s), or guardian(s) and the Probation Officer.
 Other: _____

FINDINGS:

Notice of hearing was duly given.
 Minor is a person described in Section 600, 601, 602 or _____ of the Welfare and Institutions Code.
 The minor should be released pending adjudication/disposition hearing. It is necessary to place the minor outside his home pending hearing.
 Other: _____
 The allegations of petition/as amended found true as to count(s) _____
 Count(s) _____ dismissed.

Continued detention of said minor is necessary for the reason that:
 The minor has violated an order of the Juvenile Court.
 The minor has escaped from a commitment of the Juvenile Court.
 It is a matter of immediate and urgent necessity for the protection of such minor or the person or property of another.
 The minor is likely to flee the jurisdiction of the court.
 The Minor is placed in the custody of the Superintendent of the Fresno County Juvenile Hall for suitable placement pending hearing.

IT IS HEREBY ORDERED:

The minor is released to parent(s) Mrs. Henderson pending adjudication/disposition hearing under the following conditions:
 obey parents
 attend school regularly and obey school regulations
 be on house arrest (_____ curfew) except to attend school or work
 obey all laws
 not to associate with _____

The minor is detained in Fresno County Juvenile Hall M/CS pending adjudication/disposition hearing.
 The minor is released in charge of the Probation Officer to be placed/remain in a licensed foster home pending adjudication hearing.

Warrant Dated _____ is recalled.

Adjudication (disposition) hearing set for _____ at _____

Dated: Fresno, California: 3-3-80

Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Dated: Fresno, California: 3/3/80

Judge of the Superior Court

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

3/19/80
2:30 PM (B)

MINOR : BROWN, BILLY
D.O.B. : APRIL 9, 1963
ACTION : 46742

S.H.D.C. : DALE McANULTY
PROBATION : 112528

ANALYSIS:

Billy was placed on the program on March 3, 1980. Since that date there have been no indicated contract violations. Plus, there has been no problem in making home contact with Billy. He has been very cooperative and attentive during our counselling sessions.

Billy is not currently attending any public school, but he is involved four evenings a week with a home instructor's program.

Per court order, Billy has scheduled a mental health appointment for the 19th of March and he has insured this Counselor that he intends to keep the appointment.

It is recommended that Billy be allowed to continue on the Supervised Home Detention Program until all court proceedings are completed.

COURT : ADJUDICATION
DATE : MARCH 19, 1980

by Dale McAnulty
REPORT DATE : MARCH 14, 1980

NOTE

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

3/19/80
2:30 PM (B)

MINOR : BROWN, BILLY S.H.D.C. : DALE McANULTY
D.O.B. : APRIL 9, 1963 PROBATION : 112528
ACTION : 46742

ANALYSIS:

Billy was placed on the program on March 3, 1980. Since that date there have been no indicated contract violations. Plus, there has been no problem in making home contact with Billy. He has been very cooperative and attentive during our counselling sessions.

Billy is not currently attending any public school, but he is involved four evenings a week with a home instructor's program.

Per court order, Billy has scheduled a mental health appointment for the 19th of March and he has insured this Counselor that he intends to keep the appointment.

It is recommended that Billy be allowed to continue on the Supervised Home Detention Program until all court proceedings are completed.

COURT : ADJUDICATION
DATE : MARCH 19, 1980

by Dale W. McAnulty
REPORT DATE : MARCH 14, 1980

SUPERVISED HOME DETENTION PROGRAM

6/1

INITIAL EVALUATION:

INTERVIEWER: Stone DATE: _____

MINOR'S NAME: Billy Bob Brown D.O.B. 4-9-63

ADDRESS: 414 S. Deering En 93702 daughter
(street no.) (city) (zip) (phone)

SCHOOL: Home Instruction GRADE: 10 STATUS: Jessie Brown
251-0436

WORK: approx. 1630 - 1730

OTHER ACTIVITIES: _____

FATHER'S NAME: Willis Brown D.O.B. _____

ADDRESS: UNK PHONE: _____

WORK: Lorraine Brown HOURS: _____

MOTHER'S NAME: ~~ETA~~ D.O.B. _____

ADDRESS: SAM PHONE: _____

WORK: _____ HOURS: _____

OTHER PERSONS IN HOME:

BROTHERS: Bob (18)

SISTERS: Deana (15)

OTHERS: _____

COURT: Anderson ACTION NO: 46742 PROBATION NO: 112528

PETITIONED OFFENSE(S): 647(F) 10951

PROBATION STATUS: YES (FORMAL/INFORMAL) NO

PROBATION TEAM: _____ FIELD P.O.: _____

ATTORNEY: _____ CONFIRMATION APPT: 3-10-80 @ 1015

COURT HEARINGS:

ADJUDICATION	DISPOSITION	REPORT DUE	REPORT FILED BY
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

FINAL DISPOSITION OF CASE: _____

COMMENTS: _____

Date of birth 4-9-63 M-F 8-1-80
488-3626 Juv. Hall

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTIVE PROGRAM

NAME Billy Bob Brown D.O.B. 4-9-63

By the authority of the JUVENILE COURT, you are being placed on Supervised Home Detention Program, pending further order of the Court. You are required to live within the General and Special Conditions listed below:

- Obey all laws, your parents, Probation Officer, Home Detention Counselor, and all COURT ORDERS. Mental Health Apt.
- Attend school regularly and obey all school regulations. (Only medically excused absences allowed.) In the event of a suspension from school, special arrangements will be made for school hours.
- Seek and/or maintain employment.
- Be in your place of residence at the hours designated by your parents and Home Detention Counselor. Monday through Friday 8:00 AM - 8:00 PM
- Not to possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Not to associate with anyone disapproved of by parents, Probation Officer, Home Detention Counselor or with _____
- Appear for scheduled COURT HEARINGS AND APPOINTMENTS as arranged by your Home Detention Counselor or Probation Officer
Court Hearing 3-10-80 @ 10:15

THE ABOVE RULES HAVE BEEN READ AND EXPLAINED TO ME AND I AGREE TO ABIDE BY THEM. IF I FAIL TO COMPLY WITH THESE CONDITIONS I MAY BE RETURNED TO JUVENILE HALL, OR SERVE WEEKENDS ON THE COMMUNITY SERVICE WORK PROGRAM.

Billy Brown 13-3-80
Minor's Signature Date

I, as PARENT/GUARDIAN of _____ agree to enforce this contract and to notify the Home Detention Counselor of any violations of this contract. I also agree to appear for scheduled Court Hearings and appointments with the Probation Officer and the Home Detention Counselor.

Louise Brown 13-4-80
Parent/Guardian Signature Date

Marie Stone 13-3-80
Witness Signature Date

ORIG: SHD FOLDER
CC MINOR
DPO _____

DETENTION/ARRAIGNMENT MEMO

46742

MINOR: Billy Bob Brown COURT NUMBER: _____

HEARING DATE: March 3, 1980 CASE P.O.: Johnston

PARENTS/GUARDIAN (Indicate) NAME: Willis and Lorraine Brown

WILL APPEAR: YES NO _____ REASON: _____

NOTICE GIVEN BY: J. Johnston ON: 2-29-80 VIA: phone

INTERPRETER NEEDED: YES _____ NO DATE CLERK NOTIFIED: _____

MINOR'S CURRENT STATUS: JH AH _____ NIC _____

RECOMMENDATION:
RELEASE _____ WITH FOLLOWING ORDERS: _____

DETAIN JH SHD _____ AH _____

DETENTION REASONS (Circle number of appropriate reasons and give explanation if needed.)

- 1. Violation of Court order dated 8-14-79 ordering S/m shall not poss. or use any paint, glue or any other subst. which could be used as an inhalant to produce intoxication.
- 2. Escaped from Juvenile Court commitment _____
- 3. Likely to flee jurisdiction based on prior runaways, warrants, and FTA _____
- 4. Urgent and immediate necessity for minor's protection _____
- 5. Reasonable necessity for protection of person or property of another _____

ADDITIONAL INFORMATION:

Sole wardship admonishment requested: YES _____ NO

Prior probation contacts and disposition (Including citations, informal and formal) S/m has a lengthy prior record (see main folder). Mo. told P.O. s/m is beyond her control, s/m sniffs paint, drinks. S/m spent night in F.C. Jail drunk tank 2-26-80, because he told auth. he was an adult and he was trying to avoid prosecution and gave his name as William Brown 4-9-61 DOB. When
Other factors that should be brought to the Court's attention that have bearing on a release or detention decision, such as history of offense similar to instant petitioned offense, non-compliance with previous court or probation orders (i.e. CSWP), family ability to control, etc. _____

this ref. comes thru it will be filed. S/m refuses to att. Ct. ordered counseling and cont. to drink. He stopped counseling in 12/79

Counseling ordered as condition of home detention - minor more of threat to self than to community

Sarah Waite
Intake Probation Officer

February 29, 1980
Date

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702		For Court Use Only FEB 23 4 44 PM '80 CLERK DEPUTY <i>Yolanda Hidalgo</i>
IN THE MATTER OF (Name and address) BILLY BOB BROWN 1034 North Cedar Fresno, California 93703 <i>416 No. Jackson TRAD</i> <i>414 South Downing</i> <i>4/9/80</i> <i>TT/A</i> <i>402</i>		CLK 5020.00 E08-78 R00-00 CASE NUMBER: *46742
Age: 16 Date of birth: April 9, 1963	PETITION (JUVENILE)	

1. Petitioner requests that a hearing be calendared in this matter and alleges that the above named person is, or was on the date of the commission of the alleged act, under eighteen (18) years of age and
- a. comes within the provisions of Welfare and Institutions Code Section: 601 602
- b. committed the following act set forth in attachment 1b

Count 1: Said minor, Billy Bob Brown, on or about February 15, 1980, in the County of Fresno, State of California, did willfully and unlawfully be in a public place under the influence of intoxicating liquor, a drug, toluene, a substance defined as a poison in Schedule D of Section 4160 of the Business and Professions Code, and a combination of intoxicating liquor, a drug, toluene, and such poison in such a condition that he was unable to exercise care for his own safety and the safety of others and did interfere with, obstruct, and prevent the free use of a street, sidewalk, and other public way, thereby violating Section 647(f), a misdemeanor, of the Penal Code of California; and

Count 2: Said minor, on or about February 26, 1980, in the County of Fresno, State of California, did willfully and unlawfully drive and take a certain vehicle, to wit, a 1975 Cadillac Coupé De Ville, License No. 654 MBG, then and there the personal property of Henry Geff without the consent of and with intent to deprive the said owner of title to and possession of said vehicle, thereby violating Section 10851, a felony, of the Vehicle Code of California.

NOTE



2. Said person was
- a. not detained
- b. detained on (Date): 2-28-80 at (Time): 9:40 p.m. and released on (Date):
3. Parent, guardian or relative (Name and address)
- (1) Father: Willis Brown
Address unknown
- (2) Mother: Lorraine Brown
Same as minor
- (3) Guardian or relative:

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): February 29, 1980

Myron Shapiro
(Type or print name)

Myron Shapiro
Deputy District Attorney Probation Officer

- Interpreter required (Spanish language, unless otherwise specified):
- Probation officer assigned (Full name): S. Waite
6. District attorney file number: 80-J-0330 7. Probation office file number: 112528
- bd

Singular includes the plural.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702		For Court Use Only FEB 29 4 44 PM '80 CLERK DEPUTY <i>Glenn A. Dalgo</i>
IN THE MATTER OF (Name and address): BILLY BOB BROWN 1034 North Cedar Fresno, California 93703 <i>629 No. Jackson TRD</i> <i>477/59</i> <i>474 South Downing</i> <i>7/A</i> <i>402</i>		CLK 5020:00 E08-78 R00-00 CASE NUMBER: *46742
Age: 16 Date of birth: April 9, 1963	PETITION (JUVENILE)	

1. Petitioner requests that a hearing be calendared in this matter and alleges that the above named person is, or was on the date of the commission of the alleged act, under eighteen (18) years of age and
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- b. committed the following act set forth in attachment 1b

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Count 2: Said minor, on or about February 26, 1980, in the County of Fresno, State of California, did willfully and unlawfully drive and take a certain vehicle, to wit, a 1975 Cadillac Coupe De Ville, License No. 654 MBG, then and there the personal property of Henry Geff without the consent of and with intent to deprive the said owner of title to and possession of said vehicle, thereby violating Section 10851, a felony, of the Vehicle Code of California.

2. Said person was
- a. not detained
- b. detained on (Date): 2-28-80 at (Time): 9:40 p.m. and released on (Date):
3. Parent, guardian or relative (Name and address)
- (1) Father: Willis Brown
Address unknown
- (2) Mother: Lorraine Brown
Same as minor
- (3) Guardian or relative:

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): February 29, 1980

..... Myron Shapiro

(Type or print name)

Myron Shapiro
 Deputy District Attorney Probation Officer

4. Interpreter required (Spanish language, unless otherwise specified):
5. Probation officer assigned (Full name): S. Waite
6. District attorney file number: 80-J-0330
bd
7. Probation office file number: 112528

Singular includes the plural.

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

FILED County Clerk Only

DEC 28 1979

GALEN LARSON, Clerk

CLK 601/602-200-1000 DEPUTY

[] Mailing Required

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN

DATE: 12-27-79 DEPT.: B

A minor born: 4-9-63

ACTION NO. 46742 FILED: 9-12-79 Subseq

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

Judge: Jay M. Carter
 Referee: W. F. Murphy
 Clerk: _____
 Reporter: _____
 Balliff: _____

MINOR, A. Mora
 FATHER/MOTHER
 D.P.O.
 D.P.O.
 D.D.A.
 OTHER:

THE COURT: 10/23/79 REVIEW (CONTINUED FROM 12/21/79)

- Advised minor of legal rights to counsel, against self-incrimination and to confront and cross-examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.
- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

FINDINGS:

ATTENDING COUNSELING - MINOR ALL - NO FURTHER REVIEW

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____ dismissed.
- Count(s) _____ dismissed.
- Minor is _____ a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno _____ County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

OFF CALENDAR

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.
- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
- Continued to _____ for disposition.

OTHER ORDERS:

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official. Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 12-29-79

Jay M. Carter
Referee of the Superior Court
Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

Space B Use of Court Clerk Only

FILED

DEC 24 1979

GALEN LARSON, Clerk

By *Alene J. [Signature]*

CLK 6011.00 E08-70 R 04-74

DEPUTY

[] Mailing Required

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT**

BILLY BOB BROWN

IN RE: 4/9/63

A minor born:

DATE: 12/21/79

ACTION NO. 46742

DEPT.: B

FILED: 9/12/79 SUBSER

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

<u>JAN M. MURPHY</u> Judge	<input checked="" type="checkbox"/> MINOR,	<u>R. MARCOVIAN</u> FATHER/MOTHER
<u>W. [Signature]</u> Referee	<input type="checkbox"/> D.P.O.	
Clerk:	<input type="checkbox"/> D.P.O.	
Reporter	<input type="checkbox"/> D.D.A.	
Balliff	<input type="checkbox"/> OTHER:	

THE COURT:

10/23/79 REVIEW

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.

- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

FINDINGS:

CONTINUED AT ATTORNEY'S REQUEST (MINOR CHINA'S NETS ILL)

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s)
- Count(s) dismissed.

- Minor is a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).

- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remains ward of the court in charge of the probation officer and be on probation until
- Minor returned to/removed from custody of /Parent(s)/Guardian(s).
- Minor placed in custody of
- County to pay authorized maintenance/until A.F.D.C. is established.

- Transfer to County.
- Minor committed to
- Minor detained in Juvenile Hall pending
- Court reserves right to set restitution.
- Pay restitution in amount of \$
- Father/Mother reimburse Fresno County \$ per day/month for maintenance.
- Continued to 12/21/79 @ 8:30 AM to REVIEW

OTHER ORDERS:

P.O. TO NOTIFY MINOR & ATTORNEY OLSEN

CONDITIONS OF PROBATION:

- Obey and respect authority of parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by parent(s), probation officer or with
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ curfew until probation officer modifies or
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Filed: Fresno, California: 12-21-79

Justin Carter
Referee of the Superior Court
Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Comprehensive Indian Alcohol
Rehabilitation Program Inc.

3621 N. Parkway Drive
Fresno, California 93711
(209) 268-0701

12-20-79

46742

Robin Marootian, Probation Officer
Fresno County Probation Dept.

Dan Hawkins, Youth Director
Juvenile Delinquency Prevention Project



NOTE

Re: Billy Brown, Probation Progress Report

Billy was referred to the Juvenile Delinquency Prevention Project (JDPP) and as part of his probation, Billy was to attend AA meetings on Monday and Wednesday nights. Then he was to attend individual counseling sessions on Thursday mornings. During the first sessions Billy attended regularly, but then Billy started calling and giving various excuses as to why he could not attend the session. Then our JDPP staff invited Billy to attend some of our recreational activities, but he never attended. I don't blame Billy entirely, for I feel that there was a lack of communication. I feel that after discussing the situation with Billy and his mother, that with a little more effort by all parties involved that Billy can adjust and develop in the program.

I would like to request to the court that Billy be remanded back to our program with the stipulation that all parties become more involved and work closely. I don't feel that Billy's doing time in C.K. Wakefield will help Billy or his situation. I would like to request to the court that as a part of Billy's probation that he attend all sessions that are required by the JDPP staff.

If there are any questions or concerns by the court, feel free to contact myself.

Sincerely,

Dan Hawkins
Youth Director

Comprehensive Indian Alcohol
Rehabilitation Program Inc.

3621 N. Parkway Drive
Fresno, California 93711
(209) 268-0701

12-20-79

46742

Robin Marootian, Probation Officer
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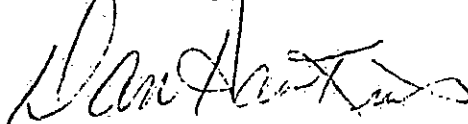
Re: Billy Brown, Probation Progress Report

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I would like to request to the court that Billy be remanded back to our program with the stipulation that all parties become more involved and work closely. I don't feel that Billy's doing time in C.K. Wakefield will help Billy or his situation. I would like to request to the court that as a part of Billy's probation that he attend all sessions that are required by the JDPP staff.

If there are any questions or concerns by the court, feel free to contact myself.

Sincerely,



Dan Hawkins
Youth Director

NAME AND ADDRESS OF ATTORNEY: DAVID A. OLSEN CULY, MILLETT, SANNAR & OLSEN 1236 "M" Street Fresno, California 93721 ATTORNEY FOR: BILLY BOB BROWN		TELEPHONE NO.: (209) 442-4260	For Court Use Only: FILED NOV 16 1979 GALEN LARSON, Clerk CLK 3012.00 E08-70 R02-75
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO 1100 Van Ness Avenue, P.O. Box 1628 Sitting as Juvenile Court Fresno, California 93717			
PLAINTIFF: THE PEOPLE OF THE STATE OF CALIFORNIA			
DEFENDANT: IN THE MATTER OF: BILLY BOB BROWN, MINOR			
APPLICATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES			Case Number: 46742

1. I am an attorney at law duly admitted to practice in the State of California. I have not received compensation in this matter and according to my information and belief the person I represented has not had since the date of my appointment and does not now have any money or property with which to pay my fees or expenses which are claimed in this application. I hereby make application for payment of fees as follows (See footnote * below before completing):
- Appointed to represent (Name): BILLY BOB BROWN
 - Appointed on (Date): Approx. 9-27-79
 - Legal services terminated on or about (Date): 10-23-79
 - Attorney's fees claimed (Amount): \$ 142.43 (for 6 1/3 hrs.)
 - Expense fees claimed (Amount): \$ 3.00 (correspondence and xerox)
 - Total Amount claimed: \$ 145.43
 - Legal services performed (Specify): 10-7-79 reviewed report and court papers, 2/6 hr.; 10-8-79 meeting and interview at office 6/6 hrs.; 10-9-79 Disposition Hearing and discussion with Deputy District Attorney Panzak and Referee Carter and Post Hearing interview with client, 14/6 hrs.; 10-10-79 memorandum to client and family with proposed plan of action 2/6 hrs.; 10-10-79 through 10-22-79 calls from client, clients Mother, Turtle Lodge and counselors, and Deputy D.A. Hoff, 3/6 hrs.; 10-23-79 review of case with Deputy D.A. Hoff, 2/6 hrs.; 10-23-79 Disposition Hearing, 5/6 hrs.; 10-23-79 interview with client and parent in reference to term of probation and subsequent letter concerning terms of probation 2/6 hrs.; 10-24-79 contact with probation officer and letter Expenses paid out for (Specify): (see attached)

XEROX COPIES OF CORRESPONDENCE TO CLIENT AND FAMILY, COPIES OF LETTERS FROM TURTLE LODGE, AND CORRESPONDENCE COSTS IN LETTERS TO CLIENT AND FAMILY - \$3.00

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (Date): Nov. 2, 1979 at (Place): Fresno, California.

DAVID A. OLSEN
(Type or print name) Attorney at Law

David A. Olsen
(Signature of applicant)

(Continued on reverse side)

Submit the original of this application and one copy. Declarations under penalty of perjury signed in California may be used in place of affidavits (CCP 2015.5). Affidavits required when signed outside California.

ORDER

2. The foregoing application has been considered and the court finds the following fees to be reasonable:

- a. Attorney's fees (Amount): \$142.43
- b. Expense fees (Amount): \$
- c. Total fees (Amount): \$142.43

ok JWC
11/8/79

3. It is ordered that the total fees shown above in item 2c be paid out of the Fresno County General Fund.

Dated: November 8, 1979

Richard D. Hanson
Judge of the Superior Court

Cont. lg.

supplying copies of Turtle Lodge letters presented at Disposition Hearing, 2/6 hrs.;
Total hours 38/6 or 6 1/3 hours.

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green) (502) Admitted 9/13/79
- 4. Probation Officer (Pink) 9/12/79 Subsequent

FILED

OCT 24 1979

PC 647f(9/12/79)Misd.

Mailing Required A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT BY JUDITH LARSON, Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO Continued from 9/27/79 & 10/9/79
SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN DATE: 10-23-79 DEPT.: B
A minor born: 4-9-63 ACTION NO. 46742 FILED: 9-12-79 Subseq.

PRESENT BEFORE THE COURT: WITNESSES SWORN:

<u>JAY M. WALTER</u>	Judge	<input checked="" type="checkbox"/>	MINOR,	<input checked="" type="checkbox"/>	FATHER/MOTHER
<u>W. F. MURPHY</u>	Referee	<input checked="" type="checkbox"/>	D.P.O.	<input checked="" type="checkbox"/>	<u>A. EDWARDS</u>
<u>V. VALOJAN</u>	Clerk	<input checked="" type="checkbox"/>	PROB. OFFICER	<input checked="" type="checkbox"/>	<u>D. OLSEN</u>
	Reporter	<input checked="" type="checkbox"/>	D.D.A.	<input checked="" type="checkbox"/>	<u>G. HOFF</u>
	Bailiff		OTHER:		

THE COURT: DISPOSITION FOR PROBATION VIOLATIONS. TO FILING OF REQUEST FOR REHEARING OR NOTICE OF APPEAL.

- Advised minor of legal rights to counsel, against self-incrimination and to confront and cross-examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.
- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

FINDINGS: MAXIMUM PHYSICAL CONFINEMENT FOR PC 647 F IS FIXED AT 6 MONTHS (80 DAYS) LESS OR WAIT FOR INMATE'S HISTORY.
 Notice of hearing was duly served/waived.
 Allegation(s) of petition/as amended found true/as to count(s)
 Court(s) 10/19/79 Home Detention Request & FURTHER PROBATION LETTERS BY COUNSEL.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER IT WOULD NOT BE IN MINOR'S INTEREST TO COMMIT MINOR TO CRISIS.
 Continued need appears for the court's protective care of said minor.
 The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).

IT IS HEREBY ORDERED: HOME DETENTION TERMINATED

- Minor placed on six months probation w/o wardship.
- Minor ~~remains~~ remain ward of the court in charge of the probation officer and be on probation until 10-23-80.
- Minor returned to/~~removed from~~ custody of MOTHER, UNLESS A F.O.D. (Parent(s)/Guardian(s)).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.
- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
- Court to pay _____ for _____

OTHER ORDERS: MINOR TO RETURN TO COURT FOR REVIEW P.O. TO REPORT TO COURT ON MINOR'S COMPLIANCE IN PROBATION & OTHER PROBATION CONDITIONS. MINOR IS TO ATTEND ALL A.A. MEETINGS THAT WORTHY LODGE STAFF ARRANGES.

- CONDITIONS OF PROBATION:
- Obey and respect authority of _____ parents.
 - Obey all laws.
 - Shall not associate with anyone disapproved of by COURTS parent(s), probation officer or with _____
 - Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
 - Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
 - Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
 - MINOR TO REMAIN IN CURFWEIL UNTIL PROBATION OFFICER MODIFIES OR 7 DAYS PER WEEK
 - Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
 - Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION: UNTIL RELEASED BY COUNSELING STAFF, MINOR TO PARTICIPATE IN SUBSTANCE ABUSE COUNSELING AT WORTHY LODGE.

ADDITIONAL/CONTINUED HEARINGS: MINOR TO SUBMIT ANY FURTHER COUNSELING FOR SUBSTANCE ABUSE AS PROBATION OFFICER MAY DETERMINE IN MINOR'S BEST INTERESTS.

W/Referee of the Superior Court: J. M. Carter

THE FOREGOING ORDER IS HEREBY APPROVED: _____
Judge of the Superior Court

CASE SCREENING

Date 9-18-79

Field P.O.: R. Marootian Screened By: Castillo

Name: Billy Bob Brown Birthdate: 4-9-63

Parent Status: Divorced Address & Tel: 1034 N. Cedar 255-5699

Living with: Mother School/Job: Home Instruction

Ht/Wt: 5'10" 170lbs Grade: 10th

Special Considerations: Strong community pressure due to being a witness in a murder case. Parents divorced. Problems w/ alcohol in family. Mother suicidal/paranoid. Poor school performance.

Previous probation efforts: Probation. Referred to OSB w/o success. Referred to Turtle Lodge (Indian Alcohol Abuse Program). ←

NOTE

Field P. O. Recommendation on case direction: Commit CKWS. Provide a stable environment. Counseling for alcohol abuse thru OSB or AA. Provide minor w/direction thru counseling.

Additional orders included in CKWS commitment: Not ingest or consume intoxicants. Attend Olive Street Bridge/Mental Health or Alcoholics Anonymous counseling.

CKWS Recommendation: Concur with Rec. to CKWS Minor appears to be in need of stable & neutral environment in which to take full advantage of counseling. Minors school performance could be delt w/through the C.K. Wakefield alternative programs, i.e. COB, RDE, tutoring.

*Attach copy of minor's Central Juvenile Index Card.

Copies to: Probation
CKWS
Court

CASE SCREENING

Date 9-18-79

Field P.O.: R. Marootian Screened By: Castillo
 Name: Billy Bob Brown Birthdate: 4-9-63
 Parent Status: Divorced Address & Tel: 1034 N. Cedar 255-5699
 Living with: Mother School/Job: Home Instruction
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CKWS Recommendation: Concur with Rec. to CKWS Minor appears to be in need of stable & neutral environment in which to take full advantage of counseling. Minors school performance could be delt w/ through the K. Wakefield alternative programs, i.e. COJ, R.D.E., tutoring.

*Attach copy of minor's Central Juvenile Index Card.

Copies to: Probation
 CKWS
 Court

CASE SCREENING

Date 9-18-79

Field P.O.: R. Marootian Screened By: Castillo
 Name: Billy Bob Brown Birthdate: 4-9-63
 Parent Status: Divorced Address & Tel: 1034 N. Cedar ²⁵⁵⁻⁵⁶⁹⁷
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Special Considerations: Strong community pressure due to being a witness in a murder case. Parents divorced. Problems w/ alcohol in family. Mother suicidal/paranoid. Poor school performance.

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Additional orders included in CKWS commitment: Not ingest or consume intoxicants. Attend Olive Street Bridge/Mental Health or Alcoholics Anonymous counseling.

CKWS Recommendation: Concur with Rec. to CKWS ~~Minor appears to be in~~
~~Not concur with Rec. to CKWS~~ need of stable & neutral environment in which to take full advantage of counseling. Minor's school performance could be better w/through the CK Wakefield alternative programs, i.e. CDD, RDE, Tutoring.

*Attach copy of minor's Central Juvenile Index Card.

Copies to: Probation
 CKWS
 Court

FRESNO COUNTY SHERIFF'S DEPARTMENT

JUVENILE

CASE DISPOSITION FORM

SM

CASE NO. 79-255-4

DATE 9-12-79

DEFENDANT'S NAME BROWN, RIBBY BOB

TYPE OF EVIDENCE WRITTEN

OFFICER LEWISY CHARGE PC647F

(above to be filled out by officer)

FRESNO COUNTY PROBATION DEPARTMENT CASE DISPOSITION

FILE NO. COURT NO. DATE

INTAKE DISPOSITION:

- Reprimanded and Released
- Referred to PO
- Informal Probation
- No Charges Filed / Insufficient Evidence (See Remarks)
- No Charges Filed / Interest of Justice (See Remarks)
- Minor Referred to Other Agency:

COURT DISPOSITION:

- Petition Dismissed / Insufficient Evidence (See Remarks)
- Petition Dismissed / With / Without Prejudice
- Petition Dismissed / Interest of Justice (See Remarks)
- Petition Found True - Hold evidence 10 days pending appeal time limitation.
- Petition Taken Under Submission
- Minor Found Unfit and DA Ordered to Prosecute Under General Law

REMARKS:

Deputy Probation Officer

Phone: 488

Fresno, California
VEHICLE INVESTIGATION REPORT

File #

DATE & TIME OF THIS REPORT
9-12-79 - 0500

CASE # **79-255-4**
 I.D. #

JUVENILE'S NAME (LAST, FIRST, MIDDLE) **BROWN, Billy Bob** ADDRESS **1034 N. CEDAR** CITY **FRESNO** STATE **CA.** PHONE **255-569**

SEX **M** RACE **INDIAN** AGE **16** HEIGHT **5-6** WEIGHT **150** EYES **BRN** HAIR **BLK** COMPLEXION **MED.** BUILD **MED.** BIRTHDATE **4-9-63** BIRTHPLACE **OKLAHOMA CITY, OKL.**

ALIAS OR NICKNAME **"POCKETS"** MARKS, SCARS, TATTOOS, ETC. **TT- "BILL" RT. SHOULDER, TT- "MOM-DAD" LT. SHOULDER** DESCENT **INDIAN-AMERICAN**

LAST SCHOOL ATTENDED **HOME TUTOR** GRADE **10TH** RELIGION **CATHOLIC** YEARS IN CITY, COUNTY **3 YRS.**

FATHER'S NAME **BILL BROWN** ADDRESS **1034 N. CEDAR** CITY **FRESNO** STATE **CA.** PHONE **255-5699**

MOTHER'S NAME **LORAIN BROWN** ADDRESS **1034 N. CEDAR** CITY **FRESNO** STATE **CA.** PHONE **255-5699**

MARITAL STATUS (LIV. TOGETHER, DIV., SEP., ETC.) **MARRIED (LIVING TOGETHER)** IN LEGAL CUSTODY OF **PARENTS** ADDRESS **1034 N. CEDAR** PHONE **255-5699**

PROBATION STATUS (AT TIME OF ARREST) **1 YR. (UNTIL JANUARY '80)** CHARGE **PC 647F** PROBATION OFFICER **MARCOVIAN** COUNTY OF **FRESNO** D.J.I. CHECKED (IF YES LIST RECORD BELOW) YES NO

OFFENSE **WIC 602, PC 647F** DATE-TIME OCCURRED **9-12-79 0450** LOCATION OFFENSE COMMITTED **4521 E. WHITE** DATE AND TIME ARRESTED **9-12-79 0450**

LOCATION OF ARREST **4521 E. WHITE** CONDITION AND ATTITUDE AT TIME OF ARREST **OK. - SEMI-COOPERATIVE** PARENT OR GUARDIAN NOTIFIED BY **JUV. HALL** DATE-TIME **9-12-79 0522**

ARRESTING OFFICER'S DISPOSITION OF CASE **SUBJECT BOOKED JUV. HALL** DATE **9-12-79** CITATION - APPEARANCE DATE AND TIME **-**

ADDITIONAL DETAILS:
 9-12-79 0450HRS, SUBJECT (BROWN) OBSERVED, BY R10, ASLEEP ON SIDEWALK, LYING FACE DOWN, OUTSIDE RESIDENCE OF 4521 E. WHITE. R10, ALONG WITH ASSISTING OFFICERS, HELPED SUBJECT TO A PARCEL UNIT.

SUBJECT SMELLED OF ALCOHOLIC BEVERAGE, UNABLE TO STAND ON OWN POWER, UNABLE TO CARE FOR SELF. SUBJECT PLACED INTO JUVENILE HALL FOR SELF, PUBLIC PROTECTION.

This Copy was prepared by the Fresno County Sheriff's Department on (date) SEP 12 1979 for the official use of: Name Juv Prob Agency Juv Prob and may not be revealed to any unauthorized persons.

IF ADDITIONAL SPACE IS REQUIRED USE CONT. REPORT, FORM 1-3
 ARRESTING OFFICER **J. DALL** BADGE # **47** FOLLOW-UP INVESTIGATOR _____ BADGE # _____ SUPERVISOR APPROVING **TW** BADGE # _____

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

MINOR'S NAME: BILLY BROWN

D.O.B.: APRIL 9, 1963

ACTION NO.: 46742

S.H.D.C.: YABUNO

D.P.O.: MAROOTIAN

PROBATION NO.: 112528

ANALYSIS:

The above minor was placed on the Supervised Home Detention Program September 15, 1979. Since that time there have been no reported contract violations.

Currently Billy is living with his 32 year old brother. This move is the result of problems with people harassing him in his old neighborhood. According to Mrs. Brown the family has been the victims of harassment for the past year. This apparently stems from the minor's involvement in a recent murder trial.

Billy is not attending school at the present time but is under their home tutoring program. His progress in this program is adequate according to his mother.

Although I have had limited exposure to this minor I feel that he does have a substance abuse problem. It appears that his family lifestyle and daily "pressures" add to his need to drink. I feel that unless the minor receives professional guidance he will develop an irreversible problem. At the present time Billy has been going to Olive Street Bridge and it is hoped that he will continue along those lines.

During home contacts with the minor he has presented himself in a polite and cooperative manner. Mrs. Brown states that she has had no problems with him since he was placed on the program.

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

MINOR'S NAME: BILLY BROWN

D.O.B.: APRIL 9, 1963

ACTION NO.: 46742

S.H.D.C.: YABUNO

D.P.O.: MAROOTIAN

PROBATION NO.: 112528

ANALYSIS:

The above minor was placed on the Supervised Home Detention Program September 13, 1979. Since that time there have been no reported contract violations.

Currently Billy is living with his 32 year old brother. This move is the result of problems with people harassing him in his old neighborhood. According to Mrs. Brown the family has been the victims of harassment for the past year. This apparently stems from the minor's involvement in a recent murder trial.

Billy is not attending school at the present time but is under their home tutoring program. His progress in this program is adequate according to his mother.

Although I have had limited exposure to this minor I feel that he does have a substance abuse problem. It appears that his family lifestyle and daily "pressures" add to his need to drink. I feel that unless the minor receives professional guidance he will develop an irreversible problem. At the present time Billy has been going to Olive Street Bridge and it is hoped that he will continue along those lines.

During home contacts with the minor he has presented himself in a polite and cooperative manner. Mrs. Brown states that she has had no problems with him since he was placed on the program.

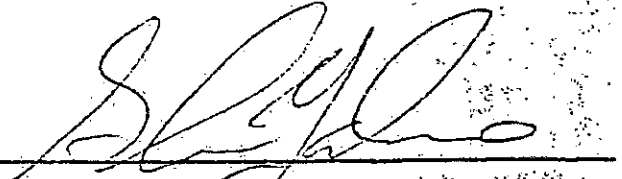
It is recommended that the minor be released from the Supervised Home Detention Program upon the completion of all court proceedings in this matter.

HEARING: DISPOSITION

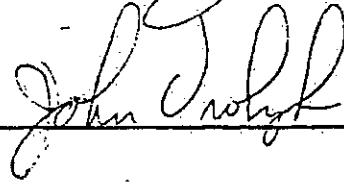
DATE: SEPTEMBER 27, 1979

REPORT DATE: SEPTEMBER 20, 1979

by



Reviewed by



Senior Counselor

I declare that after stating that the... understood all of the foregoing and possible consequences and I witnessed said signatures. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on

(Date): 9/13/79

Signature Probation Officer Attorney

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

For Court Use Only
SEP 12 4 47 PM '79
CLERK
CLK 5020.00 E08-78 R00-00
CASE NUMBER: * 46742

IN THE MATTER OF (Name and address):
BILLY BOB BROWN
1034 North Cedar
Fresno, California 93702
Age: 16 Date of birth: April 9, 1963

PETITION (JUVENILE)

1. Petitioner requests that a hearing be calendared in this matter and alleges that the above named person is, or was on the date of the commission of the alleged act, under eighteen (18) years of age and
a. comes within the provisions of Welfare and Institutions Code Section: 601. 602.
b. committed the following act set forth in attachment 1b

Count 1: Said minor, BILLY BOB BROWN, on or about September 12, 1979, be in a public place under the influence of intoxicating liquor, a drug, toluene, a substance defined as a poison in Schedule D of Section 4160 of the Business and Professions Code, and a combination of intoxicating liquor, a drug, toluene, and such poison in such a condition that he was unable to exercise care for his own safety and the safety of others and did interfere with, obstruct, and prevent the free use of a street, sidewalk, and other public way, thereby violating Section 647(f), a misdemeanor, of the Penal Code of California.

NOTE

2. Said person was
a. not detained.
b. detained on (Date): 9-12-79 at (Time): 4:50 a.m. and released on (Date):

3. Parent, guardian or relative (Name and address)
(1) Father: Bill Brown Same as minor
(2) Mother: Lorraine Brown Same as minor
(3) Guardian or relative:

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): September 12, 1979.

MYRON SHAPIRO
(Type or print name)

Deputy District Attorney Probation Officer

4. Interpreter required (Spanish language, unless otherwise specified):
5. Probation officer assigned (Full name): Marootian
6. District attorney file number: 79-6110
7. Probation office file number: 112528
Petition for Writ of Habeas Corpus - EXHIBITS

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and copies of the Attached Findings and Order of Referee and a written explanation of the right to seek review of the order were mailed (first class, postage prepaid) at Fresno, California, addressed as shown below on (date) 10-24-79

H. L. MASINI, COUNTY CLERK

By Sharon Tonley, Deputy

IMPORTANT

NOTICE TO MINORS AND THEIR PARENTS OR GUARDIANS

You, or any of you, may ask for a rehearing of your case to be heard by the Judge of the Juvenile Court. You may apply for a rehearing on the whole or any part of your case.

The request does not have to be in any particular form, but it:

- 1. Must state the reasons why you are asking for a rehearing
2. Must be in writing
3. Must be dated, and
4. Must be signed by the person asking for the rehearing.

The request for the rehearing must be brought or mailed to the Clerk of the Juvenile Court, 744 South Tenth Street, Fresno, California 93702. (This is the Juvenile Hall).

The request must be delivered no later than ten (10) days after you have been given or have received a copy of the order that the Referee made. (You may not ask for a rehearing if you wait until after ten (10) days have passed.)

You have the right to have an attorney at a rehearing, and one will be appointed to represent you if you cannot afford to pay your own attorney.

NOTICIA

PARA LOS MENORES DE EDAD, SUS PADRES O GUARDIANES

Ustedes o cualquiera persona pueden pedir una audiencia de su causa por el Juez de la Corte Juvenil. Pueden poner una aplicacion para tener otra corte o audiencia de toda su causa o parte de esa.

Al requerir esto no lo tienen que hacer en ninguna forma especial pero tienen que:

- 1. dar sus razones por lo que piden otra corte
2. hacerlo por escrito
3. poner la fecha en la forma y
4. firma la forma por la persona que esta pidiendo otra audiencia.

La forma pidiendo esta corte se tiene que traer o mandar por correo a la Corte Juvenil, el domicilio de la cual es 744 South Tenth, Fresno, California 93702.

Se tiene que entregar esta forma no mas de diez dias despues que usted haya recibido la copia de la orden que le dio el Juez. Pero no puede suplicar otra Corte o audiencia si deja pasar los diez dias.

Tiene usted el derecho de tener un abogado en la otra corte, si no tiene fondos para pagar a su propio abogado, uno sera nonbrado para que lo represente.

CLERK'S CERTIFICATE OF MAILING (Juvenile Order and Notice)

sequently reprimanded and released.

9-14-76

Billy was observed by witnesses to have thrown several rocks at a passing Fresno City Transit Bus, striking a left-side window, and breaking same. Billy was observed to run off immediately. On 9-20-76, Billy was arrested and cited to appear before the probation officer on the charge. Billy was subsequently referred on informal probation for the malicious mischief and the following charge.

11-18-76

Billy was placed on informal probation after his admission to the above offense and a PC 488 offense. On 10-8-76, Billy was arrested by Sheriff's Officers and booked into Juvenile Hall for stealing two pair of gloves from the Midway Market in Fresno. As condition of informal probation, Billy was ordered to pay restitution, observe an 8 o'clock curfew, and apologize to the victim of the theft. Probation was dismissed on 5-18-77.

NOTE
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12-5-76

Billy and coparticipant were arrested and placed in Juvenile Hall on the charge of PC 488. According to the available report, Billy was observed by a security guard stealing a black light from a dry-goods shopping store located in Fashion Fair. Billy was released to his mother on that same day and cited to appear before the probation officer. There is no disposition mentioned in this matter.

10-27-77

Billy was adjudged a ward of the Court and placed on probation until further order of the Court on a PC 488 offense. According to the report, on 7-10-77, Billy removed a bicycle without the permission of the rightful owner, and subsequently sold the bicycle. As a condition of probation, Billy was ordered to continue in counseling and not to go onto property without proper consent of the owner. According to the probation file, Billy received intensive supervision from a student probation officer of the FOCUS probation program for a period of six months in 1978.

Billy was on probation an extended period of time, and subsequently dismissed 6-27-79. According to the supervising probation officer, counseling proved ineffective in the minor's rehabilitation. It should be noted that since the beginning of 1979, Billy has been arrested on ten separate occasions for PC 647(f). Several of these arrests were closed out on the intake level due to insufficient evidence as Billy was frequently arrested in his own home. Billy last appeared for disposition on 8-14-79, for yet another PC 647(f) offense. He was again adjudged a ward of the Court and ordered to participate in counseling as well as spend five weekends in

sequently reprimanded and released.

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Billy was observed by witnesses to have thrown several rocks at a passing Fresno City Transit Bus, striking a left-side window, and breaking same. Billy was observed to run off immediately. On 9-20-76, Billy was arrested and cited to appear before the probation officer on the charge. Billy was subsequently referred on informal probation for the malicious mischief and the following charge.

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custody of Juvenile Hall. Billy was subsequently arrested on two separate occasions for public intoxication. On 8-23-79, Billy was placed in Juvenile Hall for PC 647(f), and released on a recite to the probation officer. Your officer referred Billy to the alcohol rehabilitation program through the Indian Council of Turtle Lodge. Billy was arrested three weeks later for the instant offense, and a petition was filed 9-12-79. Billy completed his Court ordered Juvenile Hall weekends 9-17-79.

III. INTERESTED PARTIES

Statement of Minor

Billy did not wish to make a statement regarding the offense. He did state to your officer on September 18, 1979, "I don't want to be sent to Wakefield or CYA, because there are people there that want to hurt me."

Statement of Parents

Mrs. Brown verbally stated to your officer on September 18, 1979, that "Billy shouldn't be locked up because he'll be hurt. He doesn't drink that much, and does not have a problem. He will receive help from Olive Street Bridge."

IV. FINANCIAL INFORMATION

Restitution

Restitution is not an issue in this matter.

Maintenance

According to the Responsible Relative Scale, Mrs. Brown is unable to reimburse Fresno County for any maintenance fee as the family subsists on a Welfare grant.

V. DISCUSSION AND EVALUATION

Custody

Billy was placed in the Fresno County Juvenile Hall on September 12, 1979, and released to Supervised Home Detention on September 13, 1979. As of the dispositional hearing set for September 27, 1979, Billy will have served a total of fourteen days in custody.

VI. CONCLUSION

Your officer points out to the Court that Billy is making his third appearance before the Court as a result of a PC 647(f) offense. It

appears the whole issue of Billy's alcohol abuse problem stems from an over-protective family who refuse to acknowledge that this young man may be suffering from a severe disorder. Further, Billy's substance abuse has been intensified by strong community pressure due to being the key witness in a murder trial. It is felt that this minor will not discontinue abusing alcohol while he is presently living in his home environment. It is your officer's opinion that Billy needs a structured and stable environment in order to promote a nonalcoholic lifestyle. It appears a commitment to the C. K. Wakefield School will provide Billy the opportunity to receive extensive counseling through Alcoholics Anonymous and Olive Street Bridge.

Your officer has screened this case with Victor Castillo of the C. K. Wakefield staff, and Mr. Castillo feels at the present time, such a commitment is the only viable alternative. It is felt that through the C. K. Wakefield program, Billy will be able to take full advantage of the specific counseling programs, as well as receiving a remedial education and vocational training. Further, it is felt that Billy will also benefit from individual therapy facilitated through the Department of Mental Health to ascertain the extent of his emotional instability and the continual need for a depressant substance. Hopefully, this plan will provide a positive direction for Billy so that he will be able to demonstrate socially acceptable behavior once he is furloughed out into the community.

RECOMMENDATION

It is recommended that:

Billy Bob Brown remain a ward of the Juvenile Court, a charge of the probation officer; that said minor be temporarily removed from the custody of his parent and committed to the C. K. Wakefield School for a period of time not to exceed 180 days.

The Superintendent of the C. K. Wakefield School be authorized to release said minor on furlough at such time as he deems the minor is eligible.

Said minor be detained in the Fresno County Juvenile Hall until such time as he is transferred to the C. K. Wakefield School.

Said minor obey all rules of the C. K. Wakefield School and all directions from the C. K. Wakefield School Staff and Teachers.

Said minor be ordered to attend the weekly Alcoholics Anonymous Sessions at C. K. Wakefield during his incarceration period.

Said minor be ordered to participate in Mental Health Counseling as directed by the probation officer.

The Court find said minor's mother is unable to reimburse Fresno County for the minor's maintenance as she subsists on a welfare grant.

The Court find that the maximum period of confinement for PC 647(f) is six months.

The Court find that fourteen days' credit for time already spent in custody should be credited against the maximum period of confinement, leaving the maximum available period of confinement to be five months and sixteen days.

Date of Report: September 21, 1979

Date of Disposition: September 27, 1979

Respectfully submitted,

JAMES ROWLAND, PROBATION OFFICER

By Robyn Meroonian
Robyn Meroonian
Deputy Probation Officer

READ AND APPROVED:

D. J. Johnson
Supervisor

ljd

The foregoing report has been considered.

Dated: September 27, 1979

JUDGE OF THE JUVENILE COURT

REFEREE OF THE JUVENILE COURT

Distribution:

Space Use of County Clerk Only

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

FILED

OCT 10 1979

ALEN LARSON, Clerk

(602)
 ADMITTED 9/13/79
 SUBSEQUENT 9/12/79
 R647 (9-12-79) MISD.

[] Mailing Required, A COPY OF THIS ORDER WAS SERVED ON 6011.00 E08-70 R 04-74

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT

CONTINUED FROM 9-27-79

IN RE: Billy Bob BROWN DATE: 10-9-79 DEPT.: B
 A minor born: 4-9-63 ACTION NO. 46742 FILED: 9-12-79 SUBSEC

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

Judge: JAY M. CARTER MINOR, FATHER/MOTHER (ILL)
 Referee: N. F. MURPHY D.P.O.
 Clerk: DAVID OLSEN ADPDA
 Reporter: G. PANZAK D.D.A.
 Bailiff: OTHER:

THE COURT: DISPOSITION

Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
 Read and explained petition.
 Advised person(s) present of nature, procedure and consequences of hearing.
 GRANTED MINOR'S REQUEST FOR CONTINUANCE (MOTHER ILL)
 VACATIONING - DA MAY HAVE INFORMATION AVAILABLE BEARING ON DISPOSITION
 Notice of Hearing was duly served/waived.
 Allegation(s) of petition/as amended found true/as to count(s) _____ dismissed.
 Determined residence and age of minor.
 Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
 Minor is _____ a person described by Section 601/602.
 Minor is a person unfit for Juvenile Court.
 Legal residence is Fresno County.
 Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

Continued need appears for the court's protective care of said minor.
 The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
 Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

Minor placed on six months probation w/o wardship.
 Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
 Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
 Minor placed in custody of _____ County to pay authorized maintenance until A.F.D.C. is established.
 Transfer to _____ County.
 Minor committed to _____
 Minor detained in Juvenile Hall pending _____
 Court reserves right to set restitution.
 Pay restitution in amount of \$ _____
 Father/Mother reimburse Fresno County \$ _____ per day/month for _____
 Continued to 10-13-79 @ 9:45 AM DEPT B / TEAM # 30
 OTHER ORDERS: MINOR TO RETURN TO COURT ON 10/13/79 @ 9:45 AM

CONDITIONS OF PROBATION:

Obey and respect authority of _____ parents.
 Obey all laws.
 Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
 Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
 Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
 Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
 Remain on HOUSE ARREST curfew until probation officer modifies or _____
 Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
 Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 10-9-79

Jay M. Carter
 Judge/Referee of the Superior Court
 Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

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FILED

OCT 4 9 15 AM '79

J. J. [Signature]
CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS JUVENILE COURT

In re B.B.,)	Case No. 46742
)	
A Juvenile.)	ORDER ON PETITION FOR
)	DISCLOSURE OF JUVENILE
)	COURT RECORDS.

Petitioner seeks certain juvenile records for use in pursuing an appeal before the California Supreme Court in Fresno County Superior Court, Case No. 255015-5. (See Penal Code Section 1239 (b).)

There is no indication in the Juvenile Court record that such a request was made during the trial of Case No. 255015-5 nor any showing in the petition as to the means available to make use of the requested documents for the appeal, augmentation, judicial notice or other procedure. (Cal. Rules of Court No. 12.)

The purpose of the California Juvenile Court Law is to secure for a minor under the jurisdiction of the Juvenile Court care and guidance as will serve the spiritual, emotional, mental and physical welfare of the minor and the best interests of the state. (Welfare & Institutions Code Section 202).

1 There is a limitation on the right to inspect the
2 records filed in juvenile court proceedings. (Welfare &
3 Institutions Code Section 827). The law establishes the
4 confidentiality of juvenile proceedings and vests the juvenile
5 court with authority to determine the extent to which juvenile
6 records may be released to third parties. (T.N.G. v. Superior
7 Court (1971) 4 CAL. 3d. 767, 778; Welfare & Institutions Code
8 Sections 625, 676, 781, 827).

9 Petitioner cites no case authority to support the
10 request for disclosure of records in this case; the Petition
11 states that the subject matter of the requested material was
12 an issue at trial in Superior Court; consequently, Petitioner
13 has been aware throughout the case of the existence of such
14 information and has not sought it here. Also, the Petition is
15 couched in broad language and conclusionary terms.

16 Under the above circumstances, the juvenile court,
17 recognizing its duty to protect the welfare of the minor by
18 insuring the confidentiality of juvenile records, can only
19 deny the request for release of copies of records on the basis
20 of the present record.

21 However, under those authorities discussing the right
22 of a criminal defendant to pursue information concerning a
23 juvenile witness (Davis v. Alaska (1974) 415 U.S. 308; People v.
24 Allen (1978) 77 CAL. APP. 3d. 924, 931; In re Ricky B. (1978)
25 82 CAL. APP. 3d. 107; Joe Z. v. Superior Court (1970) 3 CAL. APP.
26 3d 797) the court, considering that law in light of cases of
27 extreme gravity (Penal Code Section 1239(b)) and the need to
28 protect the physical and mental welfare of the minor (Welfare &


1 Institutions Code Sections 202, 827), finds the case law
2 requires the release of the following information but only for
3 the purposes of appeal, and not to be otherwise circulated
4 or used:

5 Petition No. 46742 was filed on February 9, 1978
6 alleging violations of Penal Code Sections 459, 488 and 415; the
7 Petition was dismissed with prejudice on September 14, 1978
8 on motion of the Deputy District Attorney in the interests of
9 justice.

10 Petition No. 46742-A was filed on February 10, 1978
11 alleging violations of Penal Code Sections 187, 207, 209, 211
12 and 12022.5. The Petition was dismissed February 28, 1978; the
13 Order stated the minor was granted immunity.

14 Petition No. 46742-B was filed February 14, 1978 alleging
15 a violation of Vehicle Code Section 10851; this Petition was
16 dismissed on February 28, 1978 in the same Order dismissing
17 Petition No. 46742-A.

18
19 Dated: October 3, 1979

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21 
22 PAULINE DAVIS HANSON
23 Presiding Judge
24 Juvenile Court

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

Admitted 9/13/79
 (502) Subs 9/12/79

FILED

SEP 28 1979

GALEN LARSON, Clerk

A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT

() Mailing Required

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

(SITTING AS THE JUVENILE COURT)

IN RE: BILLY BOB BROWN (#215-5699) DATE: 9-27-79 DEPT.: B
 A minor born: 4-9-63 DEPARTMENT & ACTION NO. 46742 FILED: 9-12-79

PRESENT BEFORE THE COURT: BACINER WITNESSES SWORN: HENRY JEFF

Judge	<input checked="" type="checkbox"/>	MINOR	<input checked="" type="checkbox"/>	FATHER	<input checked="" type="checkbox"/>	MOTHER	<input checked="" type="checkbox"/>
Referee	<input checked="" type="checkbox"/>	D.P.O.	<input checked="" type="checkbox"/>	<u>R. NELSON</u>			
Clerk	<input checked="" type="checkbox"/>	D.P.D.	<input checked="" type="checkbox"/>	<u>G. YORK</u>			
Reporter	<input checked="" type="checkbox"/>	D.D.A.	<input checked="" type="checkbox"/>	<u>F. LOGAN</u>			
Bailiff		OTHER:					

THE COURT: DISPOSITION

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.
- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel: DAVID OLSEN *(Private Attorney)*

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____
- Count(s) _____ dismissed.
- Minor is _____ a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno _____ County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED: PUBLIC DEFENDER IS RELIEVED AS MINOR'S COUNSEL

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.
- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per-day/month for _____ maintenance.
- Continued to 10-9-79 @ 3:30 PM for disposition IN

OTHER ORDERS: MINOR TO RETURN TO COURT (DEPT. B / TEAM #3-C)

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on IMMEDIATE DETENTION until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION: _____

ADDITIONAL/CONTINUED HEARINGS: _____

Dated: Fresno, California: 9-27-79 Jay M. Carter
 Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED: _____
 Judge of the Superior Court

9-27-79

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

MINOR'S NAME: BILLY BROWN
D.O.B.: APRIL 9, 1963
ACTION NO.: 46742

S.H.D.C.: YABUNO
D.P.O.: MAROOTIAN
PROBATION NO.: 112528

ANALYSIS:

The above minor was placed on the Supervised Home Detention Program September 13, 1979. Since that time there have been no reported contract violations.

Currently Billy is living with his 32 year old brother. This move is the result of problems with people harassing him in his old neighborhood. According to Mrs. Brown the family has been the victims of harassment for the past year. This apparently stems from the minor's involvement in a recent murder trial.

NOTE
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Billy is not attending school at the present time but is under their home tutoring program. His progress in this program is adequate according to his mother.

Although I have had limited exposure to this minor I feel that he does have a substance abuse problem. It appears that his family lifestyle and daily "pressures" add to his need to drink. I feel that unless the minor receives professional guidance he will develop an irreversible problem. At the present time Billy has been going to Olive Street Bridge and it is hoped that he will continue along those lines.

During home contacts with the minor he has presented himself in a polite and cooperative manner. Mrs. Brown states that she has had no problems with him since he was placed on the program.

9-27-79

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

MINOR'S NAME: BILLY BROWN

S.H.D.C.: YABUNO

D.O.B.: APRIL 9, 1963

D.P.O.: MAROOTIAN

ACTION NO.: 46742

PROBATION NO.: 112528

ANALYSIS:

The above minor was placed on the Supervised Home Detention Program September 13, 1979. Since that time there have been no reported contract violations.

Currently Billy is living with his 32 year old brother. This move is the result of problems with people harassing him in his old neighborhood. According to Mrs. Brown the family has been the victims of harassment for the past year. This apparently stems from the minor's involvement in a recent murder trial.

Billy is not attending school at the present time but is under their home tutoring program. His progress in this program is adequate according to his mother.

Although I have had limited exposure to this minor I feel that he does have a substance abuse problem. It appears that his family lifestyle and daily "pressures" add to his need to drink. I feel that unless the minor receives professional guidance he will develop an irreversible problem. At the present time Billy has been going to Olive Street Bridge and it is hoped that he will continue along those lines.

During home contacts with the minor he has presented himself in a polite and cooperative manner. Mrs. Brown states that she has had no problems with him since he was placed on the program.

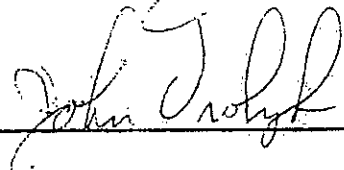
It is recommended that the minor be released from the Supervised
○me Detention Program upon the completion of all court proceedings
in this matter.

HEARING: DISPOSITION

DATE: SEPTEMBER 27, 1979

REPORT DATE: SEPTEMBER 20, 1979

by 

Reviewed by 

Senior Counselor

1 Section 827 of the Welfare and Institutions Code
2 authorizes the judge of the juvenile court to order that juvenile
3 court files and records be disclosed to an individual upon the
4 filing of a petition. Petitioner has good cause for such dis-
5 closure, to wit:

6 1. In Fresno County Superior Court Case No. 255015-5,
7 petitioner was convicted of murder, robbery and kidnapping and
8 was sentenced to death. Petitioner's automatic appeal to the
9 Supreme Court pursuant to Penal Code section 1239(b) is now pend-
10 ing in that Court (No. 20705), and QUIN DENVIR, State Public
11 Defender, has been appointed by that Court to represent petitioner
12 on appeal.

13 2. The chief prosecution witness against petitioner
14 at trial was BILLY BOB BROWN, the juvenile subject of the above-
15 captioned cases.

16 3. In return for BROWN's testimony, the prosecution
17 promised a favorable disposition of the above-captioned cases.
18 The exact nature of the prosecution's assurances and of the
19 promised dispositions were an issue in dispute at the trial.

20 4. It is necessary for petitioner's attorney on appeal
21 to have access to, and authenticated copies of, the petitions
22 filed, in the above-numbered cases, which include allegations of
23 violations of Penal Code sections 459, 484, and 594 (Petition No.
24 46742), Penal Code section 187 (Petition No. 46742-A), and Vehicle
25 Code section 10851 (Petition No. 46742-B). It is also necessary
26 that petitioner receive access to, and authenticated copies of,
27 the court's minutes, or dockets dismissing the petitions

1 and stating the reasons for the dismissal, and any documents
2 offered by the District Attorney with regard to the dismissal of
3 the petitions or stating the District Attorney's reasons for
4 dismissal.

5 5. Copies of such records will be used solely in
6 connection with petitioner's appeal and proceedings collateral
7 to such appeal.

8 WHEREFORE, petitioner requests disclosure of the above-
9 described files and records.

10 DATED: August 3, 1979

11 Respectfully submitted,

12 *Quin Denvir*

13 QUIN DENVIR
14 State Public Defender

15 Attorney for Petitioner
16 Douglas R. Stankewitz

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

FOR COURT USE ONLY

FILED

SEP 18 1979

GALEN LARSON, Clerk
[Signature]

By _____
CLK 5000.00 E08-70 R09-78

IN THE MATTER OF:

Name and address:

[Initials]
Billy Bob Brown
1034 North Cedar
Fresno, CA 93702

NOTICE OF HEARING (JUVENILE)

CASE NUMBER:

46742

THE PEOPLE OF THE STATE OF CALIFORNIA:

1. To the Above Named Person and

Name and address:

[Initials]
Bill and Lorraine Brown
1034 North Cedar
Fresno, CA 93702

Name and address:

Dispo
You are hereby cited and required to appear at the hearing on the attached petition as follows

- a. Date: 9-27-79 Time: 9:30 Dept.: C Div.: Room No.:
- b. Address of court
(1) Juvenile Hall, 744 South Tenth Street, Fresno, California.
(2) Fresno County Courthouse, 1100 Van Ness Avenue, Fresno, California.
(3) Other (Specify):

3. This proceeding has been instituted under the following Welfare and Institutions Code Section

- a. 300(a) 300(b) 300(c) 300(d)
b. 601(a) 601(b)
c. 602

4. A parent or guardian may be required to participate in a counseling program with the above named minor.

Dated: 9/13/79

Clerk of the Court, by

[Signature]
Joyce Chance

Deputy

NOTICE TO THE PERSON SERVED

YOU ARE ENTITLED TO HAVE AN ATTORNEY PRESENT AT THE HEARING ON THE PETITION. IF YOU ARE INDIGENT, CANNOT AFFORD AN ATTORNEY AND YOU DESIRE TO BE REPRESENTED BY AN ATTORNEY, ONE WILL BE APPOINTED AT THE TIME OF THE HEARING.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy of the foregoing was mailed certified mail with request for return receipt first class, postage prepaid, in a sealed envelope addressed as shown above, and that the mailing of the foregoing and execution of this certificate occurred at Fresno, California,

On (Date):

Clerk of the Court, by _____

Deputy

See reverse side for proof of personal service.

The singular includes the plural. A copy of the petition must be attached to all copies of this notice which are served.

PROOF OF SERVICE (JUVENILE)

1. I served the

a. Notice of Hearing (Juvenile), with a copy of the petition attached.

b. Citation (Juvenile), with a copy of the petition attached.

c. On (Name of person served): *Billy Bob Brown*

(1) By delivery at home business Juvenile Court

(a) Date of: *9-13-79*

(b) Time of:

(c) Address: 744 South Tenth Street, Fresno, California Other (Specify):

d. On (Name of person served): *Louanne Brown*

(1) By delivery at home business Juvenile Court

(a) Date of: *9-13-79*

(b) Time of:

(c) Address: 744 South Tenth Street, Fresno, California Other (Specify):

e. On (Name of person served): *Rub Dief*

(1) By delivery at home business Juvenile Court

(a) Date of: *9/14/79*

(b) Time of:

(c) Address: 744 South Tenth Street, Fresno, California Other (Specify): *1744*

2. Manner of service: Personal service, By personally delivering copies. (CCP 415.10)

3. At the time of service I was at least 18 years of age and not a party to this action.

4. I received the notice or citation for service on (Date):

5. Person serving (Check one only)

a. Not a registered California process server.

b. Registered California process server.

c. Employee or independent contractor of a registered California process server.

d. Exempt from registration under B&P Code 22350(b).

e. California sheriff, marshal or constable.

f. Name, address, telephone number and, if applicable, county of registration and number:

(For California sheriff, marshal or constable use only)
I certify that the foregoing is true and correct and that this certificate is executed on (Date):
at (Place): , California.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (Date):
9-13-79 at (Place):
FRESNO California.

(Signature)

(Signature)

Distribution: 4

- 1. County Clerk's File
- 2. Clerk's Minutes
- 3. Probation Office File
- 4. Minor

FILED

SEP 17 1979

GALEN LARSON, Clerk

A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT

CLK-6078,00 E03-72-R05/73

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN

DEPARTMENT #

DATE: 9/13/79

DEPT: B

ACTION NO. 46742

FILED: 9/12/79

A minor born: 4/9/63

PRESENT:

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

Judge: JAY M. CARTER
 Referee: W.F. MURPHY
 Clerk: V. VAUGHAN
 Reporter: _____
 Bailiff: _____

MINOR: SISTER
 D.P.O.: ME BOWMAN
 D.P.D.: U. THOMAS
 D.D.A.: G. PANZAK
 OTHER: _____

THE COURT:

Advised minor of rights to counsel, against self-incrimination, and to confrontation and cross-examination of persons examined.
 Advised persons present of reason minor was placed in custody.
 Advised persons present of nature of juvenile court proceedings.
 Read petition to persons present.
 Appointed District Attorney _____ to represent minor.
 Minor waived right to Counsel (with concurrence of parent).
 Other _____

Appointed Public Defender _____ to represent minor and/or parent(s).
 Accepted minor's admission to petition after minor waived his right to a jurisdictional hearing and admitted the petition with consent of counsel after waiving his rights against self-incrimination and confrontation by and cross-examination of witnesses.
 Heard relevant evidence as offered by the minor, his parent(s) or guardian(s) and the Probation Officer.
 Other: MINOR VOLUNTARILY SIGNED DECLARATION BY JUVENILE AND STATED IT WAS READ AND MINOR FULLY UNDERSTANDS ALL LEGAL RIGHTS, COURTS AND DISPOSITIONAL POSSIBILITIES & ADVERSE CONSEQUENCES CONTAINED THEREIN.

FINDINGS:

Notice of hearing was duly given.
 Minor is a person described in Section 600, 601 or 602 of the Welfare and Institutions Code.
 The minor should be released pending adjudication/disposition hearing. It is necessary to place the minor outside his home pending hearing.
 Other: MINOR'S DECLARATION ACCEPTED & FILED
 The allegations of petition/answer found true as BEYOND REASONABLE DOUBT
 Court(s) _____ dismissed.

Continued detention of said minor is necessary for the reason that:
 The minor has violated an order of the Juvenile Court.
 The minor has escaped from a commitment of the Juvenile Court.
 It is a matter of immediate and urgent necessity for the protection of such minor or the person or property of another.
 The minor is likely to flee the jurisdiction of the court.
 MINOR IS ADVISED & HE UNDERSTANDS MAXIMUM PHYSICAL CONFINEMENT FOR TC 647 F IS 6 MONTHS

IT IS HEREBY ORDERED:

The minor is released to parent(s) ON HOME DETENTION pending ADJUDICATION/DISPOSITION hearing under the following conditions:
 obey parents
 attend school regularly and obey school regulations
 be on house arrest (COLLEEN)
 except to attend school or work APPROX. 3 DAYS PER WEEK
 obey all laws NO USE INTOXICANTS
 not to associate with _____
 Warrant Dated _____ is recalled.

The minor is detained in Fresno County Juvenile Hall BUT REFERRED TO HOME DETENTION pending ADJUDICATION/DISPOSITION hearing.
 The minor is released in charge of the Probation Officer to be placed/remain in a licensed foster home pending adjudication hearing.
 (disposition) hearing set for 9-21-79 at DEPT. B/TEAM #3 MINOR TO RETURN TO COURT

Dated: Fresno, California: 9-13-79

Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Fresno, California: _____
 County Juvenile Hall for suitable placement pending hearing.

Jay M. Carter
Pauline N. ...
 Judge of the Superior Court

ARRAIGNMENT/DETENTION HEARING

Petition for Writ of Habeas Corpus - EXHIBITS

DETENTION/ARRAIGNMENT MEMO

MINOR: Billy Bob Brown COURT NUMBER: 46742

HEARING DATE: September 13, 1979 CASE P.O.: R. Marootian

PARENTS/GUARDIAN (Indicate) NAME: Lorraine Brown

WILL APPEAR: YES NO REASON: _____

NOTICE GIVEN BY: R. Marootian ON: 9-12-79 VIA: phone

INTERPRETER NEEDED: YES NO DATE CLERK NOTIFIED: _____

MINOR'S CURRENT STATUS: JH AH NIC

RECOMMENDATION:

RELEASE _____ WITH FOLLOWING ORDERS: _____

DETAIN JH SHD _____ AH _____

DETENTION REASONS (Circle number of appropriate reasons and give explanation if needed.)

- 1. Violation of Court order dated 8-14-79 ordering ~~s/m shall not possess, use or consume any substance, drug; intoxicant or article forbidden by law.~~
- 2. Escaped from Juvenile Court commitment _____
- 3. Likely to flee jurisdiction based on prior runaways, warrants, and FTA _____
- 4. Urgent and immediate necessity for minor's protection FSD report states that s/m was lying face down on the sidewalk in an intoxicated condition.
- 5. Reasonable necessity for protection of person or property of another _____

ADDITIONAL INFORMATION:

Sole wardship admonishment requested: YES _____ NO

Prior probation contacts and disposition (Including citations, informal and formal) S/m has made several appearances before the Ct. in the past two years. He was dismissed from probation in June 1979 and again appeared before the Ct. in July 1979 for PC 647f.

Other factors that should be brought to the Court's attention that have bearing on a release or detention decision, such as history of offense similar to instant petitioned offense, non-compliance with previous court or probation orders (i.e. CSWP), family ability to control, etc. S/m was arrested on four occasions (Jan. 9, 1979; 1-15-79; 2-22-79, 7-12-79) for PC647f. All of these charges were closed insufficient evidence as s/m was arrested at home. On 8-14-79 s/m went to disposition hearing and was placed on probation, and ordered to spend five week-ends in custody. On ~~mm~~ August 23, 1979 s/m was arrested again for PC647f. S/m was released to a counselor at an alcohol Rehab. program operated through the Indian Council. S/m has a serious, long-standing alcohol abuse problem.

Norma Suzuki
Intake Probation Officer

Date September 12, 1979

<p align="center">SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702</p>	<p>For Court Use Only</p>
<p>IN THE MATTER OF (Name and address):</p> <p align="center"><i>Billy Bob Brown</i></p> <p>Age: <i>16</i> Date of birth: <i>4/9/63</i></p>	<p>CLK 5036.00 E09-78 R00-00</p> <p>CASE NUMBER: <i>46742</i></p>
<p align="center">DECLARATION AND ACKNOWLEDGMENT OF RIGHTS (JUVENILE)</p>	

DECLARATION OF JUVENILE

1. Concerning myself

a. My true name is:	c. My current address is:
b. My birthdate is:	d. My grade in school is:

2. Concerning my family

a. My father's name is:	c. My mother's name is:
b. His address is:	d. Her address is:

3. Concerning the charge against me

a. I understand that a petition <input checked="" type="checkbox"/> has been <input type="checkbox"/> will be filed.	
b. The charge has been fully explained to me by (Name and title):	
c. The nature of the charge is	
(1) <i>647 F PC</i>	(5)
(2)	(6)
d. I understand that, if I am to appear in court, the procedure is started when a petition, which tells me of the charge against me, is filed.	

4. Concerning my constitutional and other legal rights, I have the right to

	WAIVED AS INDICATED
a. Have an attorney represent me at all court proceedings and, if I am unable to afford an attorney, I have the right to have the court appoint an attorney to represent me	_____
b. If detained, have a hearing before the court, within 48 hours from the time I was first detained, excluding days in which the court is closed, to determine if I should be released or detained while waiting for the next court hearing	_____
c. Have a hearing before the court to determine if the charge against me is true or false, within 30 calendar days from the date the petition is filed or within 15 court days from an order detaining me, unless I waive such time limits	_____
d. Have my parent or guardian present at all times during a court hearing, and in addition, any other person with the permission of the court	_____
e. Exercise my privilege against self-incrimination by remaining silent and not making a statement or testifying. I understand that, if I make a statement or testify, anything I say may be used against me in the hearing or in any other proceeding.	X
f. Present evidence in my favor and have the court compel any witness or evidence I may have on my behalf to be present or brought to the hearing. This right also extends to my parent or guardian and attorney	X
g. See, hear and question the person who prepared any police report, probation report, or other document submitted by the petitioner and to have my attorney cross-examine such person on my behalf and in my presence	X
h. Have the charge dismissed unless the court, after hearing all of the evidence, finds the charge to be true beyond a reasonable doubt	X

5. If the court finds the charge to be true beyond a reasonable doubt or I admit the charge, I have the right to have a hearing before the court to determine what action the court should take.

6. I understand that I or my parent or guardian may apply in writing for a rehearing of any matter heard before a Juvenile Court Referee. I understand that a request for a rehearing before a Judge of the Juvenile Court must be made no later than 10 days after a copy of the Referee's order is served.

7. I understand that my parent or guardian may be held liable, according to their financial ability, for the cost incurred by the County for my maintenance at Juvenile Hall or C.K. Wakefield school, as well as the cost of having an attorney appointed and probation services.

The singular includes the plural.

(Continued on reverse)

DECLARATION AND ACKNOWLEDGMENT OF RIGHTS
(JUVENILE)

Petition for Writ of Habeas Corpus - EXHIBITS

8. I understand that, if I admit the charge against me, I will be giving up my constitutional and other legal rights.

9. If the charge against me is found true, or I admit the charge, the things that can happen to me are:

- a. Being placed on formal probation without wardship for a period of six months or on probation with wardship until I am 21 years old.
- b. Having reasonable conditions concerning my custody, control, supervision, care and conduct, imposed upon me by the court.
- c. Being required to perform community service work for a specified period of time.
- d. Being adjudged a ward of the court.
- e. Being removed from my home and placed in a suitable foster home, group home, school or private institution.
- f. Being committed to Fresno County Juvenile Hall.
- g. Being committed to C.K. Wakefield School or a similar place for a period not to exceed one year, subject to being extended on an annual review by the court.
- h. Being sent to some other placement, school or institution which can help me with my problem and rehabilitation.
- i. Being committed to the California Youth Authority.

10. Do you understand all of your above mentioned rights? YES NO (If no, explain):

11. Do you have any questions concerning your rights? YES NO (If yes, specify):

12. Do you freely and voluntarily admit the charge? YES NO

13. Has anyone promised you anything or threatened you or any member of your family to cause you to admit the charge? YES NO (If yes, explain):

14. Do you understand that what will happen to you will be decided entirely by the court? YES NO

15. Are you admitting the charge because it is, in fact, true? YES NO

16. What did you do that makes you believe the charge is true? (Give the date and a brief statement, in your own words, of what happened):

On (Date): On Sept. 12, 1979 I was under the influence of alcohol in a public place. I was unable to care for myself.

17. Knowingly and fully understanding all of the above, I freely, willingly and voluntarily, without any threats or promises (Except as indicated in item 13) being made to me, give up my right to further instructions by the court. I further give up (Waive) my rights as indicated by my initials in item 4. (Place your initials after each right in item 4 which you give up (Waive)).

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on:

(Date): 9/13/79 Signature: Billy Brown

DECLARATION OF PARENT, GUARDIAN OR RELATIVE

I declare that I am familiar with the foregoing declaration of the juvenile and I concur with said declaration. No threats or promises (Except as indicated in item 13) were made to the minor or myself in order to induce the minor to sign the foregoing declaration. The declaration was signed voluntarily only after the minor's constitutional and other legal rights were fully explained to and understood by the minor and myself. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on:

(Date): 9/13/79 Signature: Louise Brown
 Father Mother Guardian
 Relative (Relationship):

DECLARATION OF PROBATION OFFICER OR ATTORNEY

I declare that I fully explained all of the foregoing Declaration of Juvenile to the minor and the minor's parent, guardian or relative. I also fully explained the foregoing Declaration of Parent, Guardian to said declarant. I further declare that after stating that they understood all of the foregoing and possible consequences, they voluntarily, without any threats or promises (Except as indicated in item 13), signed said declarations and I witnessed said signatures. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on:

(Date): 9/13/79 Signature: C. Brown
 Probation Officer Attorney

DECLARATION OF INTERPRETER ATTORNEY

<p align="center">SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702</p>	<p>For Court Use Only</p> <p align="center">SEP 12 4 47 PM '79</p>
<p>IN THE MATTER OF (Name and address):</p> <p>BILLY BOB BROWN 1034 North Cedar Fresno, California 93702</p> <p>Age: 16 Date of birth: April 9, 1963</p>	<p align="center"><i>[Signature]</i></p> <p>CLK 5020.00 E08-78 R00-00</p>
<p>PETITION (JUVENILE)</p>	<p>CASE NUMBER: * 46742</p>

1. Petitioner requests that a hearing be calendared in this matter and alleges that the above named person is, or was on the date of the commission of the alleged act, under eighteen (18) years of age and
- a. comes within the provisions of Welfare and Institutions Code Section: 601 602
 - b. committed the following act set forth in attachment 1b

Count 1: Said minor, BILLY BOB BROWN, on or about September 12, 1979, in the County of Fresno, State of California, did willfully and unlawfully be in a public place under the influence of intoxicating liquor, a drug, toluene, a substance defined as a poison in Schedule D of Section 4160 of the Business and Professions Code, and a combination of intoxicating liquor, a drug, toluene, and such poison in such a condition that he was unable to exercise care for his own safety and the safety of others and did interfere with, obstruct, and prevent the free use of a street, sidewalk, and other public way, thereby violating Section 647(f), a misdemeanor, of the Penal Code of California.

2. Said person was
- a. not detained
 - b. detained on (Date): 9-12-79 at (Time): 4:50 a.m. and released on (Date):

3. Parent, guardian or relative (Name and address)
- (1) Father: Bill Brown Same as minor
 - (2) Mother: Lorraine Brown Same as minor
 - (3) Guardian or relative:

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): September 12, 1979.

MYRON SHAPIRO

(Type or print name)

Myron Shapiro
 Deputy District Attorney Probation Officer

- 4. Interpreter required (Spanish language, unless otherwise specified):
- 5. Probation officer assigned (Full name): Marootian
- 6. District attorney file number: 79-6110
- 7. Probation office file number: 112528

kt

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff) Admitted 7/31/79
- 3. Probation Office File (Green) (502)7/30/79 Petition:
- 4. Probation Officer (Pink)

AUG 15 1979

GALEN LARSON, Clerk

[Signature]

X Mailing Required A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN DEPARTMENT # DATE: 8-14-79 DEPT.: B A minor born: 4-9-63 ACTION NO. 46742 FILED: 7-30-79

PRESENT BEFORE THE COURT: JUDGE JAY M. CARTER, W. F. MURPHY, V. VAUGHAN. WITNESSES SWORN: MINOR, R. NELSON, M. BERTINELLA, E. DUPRAS.

DISPOSITION: FILE REQUEST FOR REHEARING OR NOTICE OF APPEAR (WITHIN 10 DAYS). THE COURT: Advised minor of legal rights to counsel, against self-incrimination and to confront and cross-examine witnesses.

FINDINGS: MAXIMUM PHYSICAL CONFINEMENT FOR 60% OF 13 FREE AT 6 MONTHS. Notice of Hearing was duly served/waived. Allegation(s) of petition/as amended found true/as to count(s).

8/8/79 HOME DETENTION REPORT. COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER. CONTINUED NEED APPEARS FOR THE COURT'S PROTECTIVE CARE OF SAID MINOR. TEMPORARILY REHABILITATION.

IT IS HEREBY ORDERED: HOME DETENTION IS TERMINATED. Minor placed on six months probation w/o wardship. Minor committed to J.H. FOREMAN, PROBATION OFFICER. Minor returned to removed from custody of MOTHER. Minor placed in custody of MOTHER. County to pay authorized maintenance until 8-14-80.

OTHER ORDERS: CONDITIONS OF PROBATION: Obey and respect authority of parents. Obey all laws. Shall not associate with anyone disapproved of by parent(s), probation officer or with: Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor. Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

ADDITIONAL CONDITIONS OF PROBATION: ENROLL PARTICIPATE & REMAIN IN SUBSTANCE ABUSE COUNSELING PROGRAM AT P.O. DIRECTS. ADDITIONAL/CONTINUED HEARINGS: MAINTAIN GAINED EMPLOYMENT AT ALL TIMES. P.O. INFORMED (IN WRITING) NOT LESS THAN TWICE PER MONTH.

Dated: Fresno, California: 8-14-79 Judge of the Superior Court: J.M. Carter

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and copies of the Attached Findings and Order of Referee and a written explanation of the right to seek review of the order were mailed (first class, postage prepaid) at Fresno, California, addressed as shown below on (date) 8-16-79

H. L. MASINI, COUNTY CLERK

By Sharon Conley Deputy

IMPORTANT

NOTICE TO MINORS AND THEIR PARENTS OR GUARDIANS

Billy Bob Brown
1034 N. Cedar
Fresno, Cal.

You, or any of you, may ask for a rehearing of your case to be heard by the Judge of the Juvenile Court. You may apply for a rehearing on the whole or any part of your case.

The request does not have to be in any particular form, but it:

1. Must state the reasons why you are asking for a rehearing
2. Must be in writing
3. Must be dated, and
4. Must be signed by the person asking for the rehearing.

Willis & Loraine Brown
1034 N. Cedar
Fresno, Cal.

The request for the rehearing must be brought or mailed to the Clerk of the Juvenile Court, 744 South Tenth Street, Fresno, California 93702. (This is the Juvenile Hall).

The request must be delivered no later than ten (10) days after you have been given or have received a copy of the order that the Referee made. (You may not ask for a rehearing if you wait until after ten (10) days have passed.)

Public Defender
744 South Tenth St.
Fresno, Cal.

You have the right to have an attorney at a rehearing, and one will be appointed to represent you if you cannot afford to pay your own attorney.

NOTICIA

PARA LOS MENORES DE EDAD, SUS PADRES O GUARDIANES

Ustedes o cualquiera persona pueden pedir una audiencia de su causa por el Juez de la Corte Juvenil. Pueden poner una aplicacion para tener otra corte o audiencia de toda su causa o parte de esa.

Al requerir esto no lo tienen que hacer en ninguna forma especial pero tienen que:

1. dar sus razones por lo que piden otra corte
2. hacerlo por escrito
3. poner la fecha en la forma y
4. firma la forma por la persona que esta pidiendo otra audiencia.

La forma pidiendo esta corte se tiene que traer o mandar por correo a la Corte Juvenil, el domicilio de la cual es 744 South Tenth, Fresno, California 93702.

Se tiene que entregar esta forma no mas de diez dias despues que usted haya recibido la copia de la orden que le dio el Juez. Pero no puede suplicar otra Corte o audiencia si deja pasar los diez dias.

Tiene usted el derecho de tener un abogado en la otra corte, si no tiene fondos para pagar a su propio abogado, uno sera nombrado para que lo represente.

CLERK'S CERTIFICATE OF MAILING

Petition for Writ of Habeas Corpus - EXHIBITS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

For Court Use Only:

FILED

AUG 15 1979

IN THE MATTER OF: BILLY BOB BROWN

Age: 16 years, 4 months DOB: 4-9-63
Driver's Lic. No.: S.S.No:
Address: 1034 North Cedar
Fresno, California

REPORT AND RECOMMENDATION

Case No.: 46742/112528

HEARING	Date: 8-14-79	Time: 11:30 a.m.	Dept: 4-B
Legal Representation: Public Defender		In Custody	Not In Custody XX

REASON FOR HEARING

Petition Filed: 7-3 -7 Alleging: PC 647(f)

Complainant's Statement: Application for Filing Petition (FPD), dated 7-27-79

Date Arrested: 7-27-79 Days in Custody: Supervised Home Detention: 15 days

PRIOR RECORD

Adjudicated Offenses:
PC 488

Date of Disposition:
10-27-77

Disposition:
Adj. w/c prob foc; rel
mo; obey; cont couns,
dismissed 6-27-79.

Probation Contacts and Adjustment:

Billy has been on probation two times in the past, once on informal and once formally. According to prior probation information, his adjustment on probation can be described as poor. He has been arrested numerous times for PC 647(f) offenses, and refused to attend counseling for substance abuse. As basis for Billy's probation dismissal, on June 27, 1979, the supervising probation officer stated, "minor has been on probation for extended period of time, counseling has proven ineffective in said minor's rehabilitation". During the dispositional interview, Billy expressed a negative attitude toward probation supervision of any kind.

FAMILY HISTORY

Billy resides with his mother, and three of eight siblings in a home located in the southeast area of Fresno. The minor's father, Willis Brown, resides in Lodi, California, and has frequent contact with the children. Mrs. Brown was divorced from the father in 1977. Mr. Brown is reportedly an alcoholic, and has a history of arrests for alcohol related offenses. Mrs. Brown reports that she has been treated by a psychiatrist for emotional problems the past several years. The Brown family is presently subsisting on a welfare grant.

MINOR'S HISTORY

School Attending: None

Last Attended:
Gateway Continuation

Grade:
10th

Grade Average:

Attendance:

Behavior in school: Billy was not in regular school this past year. Mrs. Brown stated that he was on home instruction during the last five months of school, studying under Mr. Forrester, of the Fresno County Schools Administration. Billy stated that he is undecided at this point if he will attend public school in the fall, and indicated a preference to full-time

Activities/Sports: None Reported. employment. Billy has a history of poor attendance and defiant behavior in public school.

Current or Serious Health Problems: Mrs. Brown indicated that Billy has a "nervous" condition and that this is probably why he consumes so much alcohol. Further, Billy reportedly suffers from a wart condition on his feet, and needs to get them surgically removed in the near future

Use of Alcohol/Controlled Substances: Billy has a history of alcohol abuse, which is quite disturbing for a young man who is just 16 years of age. Mrs. Brown stated "he has a problem and I am worried sick about him". Billy denies having a problem.

Minor Employed: Yes Where: VMC (CETA) full-time Earnings: \$2.90 pr hr.

Community Agencies Currently Involved With Minor and Reason for Referral:

Fresno Police Department, Fresno County Probation Department, and Fresno County Department of Welfare (A.F.D.C.).

Minor's Role and Attitude Toward Offense(s):

On the night of the offense, Billy stated he had been drinking beer. He was reportedly walking home after being dropped off by friends, and fell asleep on the sidewalk. It was at this time Billy was apprehended by law enforcement officers.

Regarding his alcohol consumption, Billy denied having a problem, and stated "I drink when I want to drink". He stated that with money earned from his job he will use it towards "buying clothes and beer on weekends".

CONCLUSION

Billy continues to become involved in PC 647(f) law violations. He has been on probation for an extended period of time in the past, and efforts to modify his alcohol useage have been futile. Billy appears to be apathetic about his life style, and sees no reason to change it.

It is felt that Billy is likely to continue to become involved in alcohol related offenses. Perhaps he will begin to conduct himself in a socially acceptable way now that he is actively employed and has experienced a degree of responsibility. However, until Billy is ready to admit he has a alcohol problem and enroll in a substance abuse program, it appears that he will not discontinue drinking. It is felt that probation supervision serves little purpose with Billy, as he continues to do as he pleases. Billy dislikes Juvenile Hall, but perhaps several weekends in custody might serve as a deterrent for future delinquent activities. For that reason, it is felt that a Juvenile Hall commitment will be in the best interest of the minor. It is also felt that Billy would best benefit from an extensive counseling program, although with his attitude it would be rather futile to try to work with him. However, this procedure appears to be necessary if there is any hope in helping Billy change his life style.

Date of Report: August 9, 1979

Date of Disposition: August 14, 1979

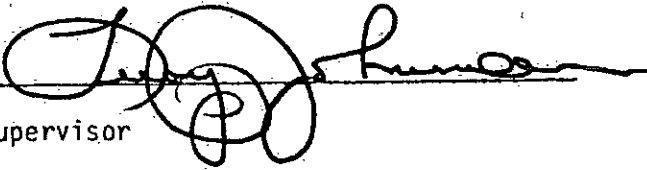
Respectfully submitted,

JAMES ROWLAND, PROBATION OFFICER

By Robyn Marootian
Robyn Marootian
Deputy Probation Officer

READ AND APPROVED:

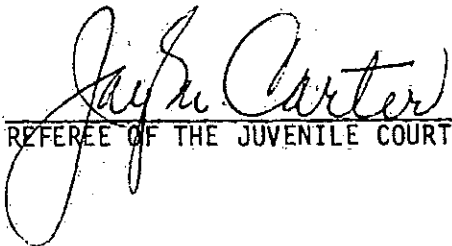
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Supervisor

The foregoing report has been considered.

Dated: August 14, 1979

JUDGE OF THE JUVENILE COURT



REFEREE OF THE JUVENILE COURT

FRESNO COUNTY JUVENILE HALL
SUPERVISED HOME DETENTION PROGRAM

MINOR'S NAME: BILLY BROWN

S.H.D.C.: YABUNO

D.O.B.: APRIL 9, 1963

D.P.O.: MAROOTIAN

ACTION NO.: 46742

PROBATION NO. 112528

ANALYSIS:

The above minor was placed on the Supervised Home Detention Program July 31, 1979. Since that time there have been no reported contract violations.

Currently Billy is working at VMC as a groundskeeper. His work hours are from 7am-2:30pm, Monday - Friday. Billy stated that he likes this job and he hopes to keep it as long as possible.

Mrs. Brown indicated that she has had no problems with her son since he was placed on the program. Due to an illness in the family Billy did spend several nights with his brother while his mother stayed at the hospital.

It appears to this counselor that the minor does indeed have a substance abuse problem involving alcohol. I feel that a referral to either AA or Olive Street Bridge may be in order. Unless professional guidance is provided I feel that the minor will again involve himself with alcohol.

It is recommended that the minor be released from the Supervised Home Detention Program upon the completion of all court proceedings.

HEARING: DISPOSITION

DATE: AUGUST 14, 1979

REPORT DATE: AUGUST 8, 1979

by

A handwritten signature in cursive script, appearing to be "J. J. [unclear]", written over a horizontal line.

Reviewed by

A handwritten signature in cursive script, appearing to be "John W. [unclear]", written over a horizontal line.

Senior Counselor

FRESNO COUNTY

Application for Filing of Juvenile Court Petition

Minor's Name BROWN, WILLIAM WILLIS Age 16 Birthdate 4/9/63
 Address 1034 N. CEDAR School NONE
 Father's Name BROWN, WILLIS Address 1034 N. CEDAR
 Mother's Name BROWN, LORANE Address 1034 N. CEDAR
 Guardian N/A Address _____
 Telephone: Minor 255-5699 Father 255-5699 Mother 255-5699 Guardian _____

I allege that the above-named minor comes within the provisions of Section 600/601/602 of the Welfare and Institutions Code of the State of California. The following information is offered in support of this allegation:

Specific Offense: WIC 602, PC 647F
 Victim's Name: STATE OF CALIFORNIA
 Location of Offense: CEDAR/PRINCETON
 Date of Offense: 7/26/79 Time of Offense: 2320
 Co-Participants: NONE

Facts of Offense:
 SUBJ DOWN & OUT ON N. SIDEWALK ON CEDAR AVE IN FRONT OF McLANE H.S.
 SUBJ SMELLED OF AN ALCOHOLIC BEV. - HAD SLURRED SPEECH - WAS UNSTEADY AFOOT - WAS UNABLE TO CARE FOR SELF. PLACED INTO CUSTODY FOR OWN/PUBLIC SAFETY. OUT OF PARENTAL CONTROL.
 CONTACTED SUSP MOTHER, VIA DISPATCHER. MOTHER ADVISED US TO TAKE WILLIAM TO JUV HALL.
 WILLIAMS STATED HE DRANK 3 BEERS.

On the basis of the above information, the undersigned requests that a Juvenile Court Petition be filed on the above-named minor for the offense specified. I declare under penalty of perjury that the facts are true and correct to the best of my knowledge.

Date 7/26/79 2320 HRS Name J. E. OLSON 427
 Arrest Date 7/26/79 (signed)
 Arrest Time 2330 Agency F.P.D.
 Address 2323 MARIPOSA
 Phone No. 488-1414

If minor delivered in custody, at F.C.J.H.
 Reason for delivery in custody (WIC 626), specify: OUT OF PARENTAL CONTROL

Minor received by: Schull (signed) Date 7/27 Time 0015
 Minor's condition: OK / STRONG ODOR OF ALCOHOL
 Parents Notified: By Whom Schull How PHONE Time 0030
 SISTER

PROBATION OFFICERS ACTION ON APPLICATION FOR FILING OF JUVENILE COURT PETITION

Minor's Name: Billy Bob Brown Probation No. _____
Report No. _____
Date application filed with Probation Officer 7-26-79
Name of Applicant EPD

The following action was taken on this application:

- 1. Referred to District Attorney, with recommendation to file petition. Date of Referral to D.A. 7-30-79
District Attorney Action 7/30/79 filed ML -
- 2. Petition filed (WIC 600/601) by Probation Officer. _____
Date _____
- 3. Minor placed on Informal Probation. Date _____
Special Conditions:
1. _____
2. _____
3. _____
4. _____
5. _____
- 4. No action taken. Application denied.
Reason for Denial: _____

Applicant Notified of Action: By Whom _____
Method _____
Date 7-30-79
by James S. [Signature]
Deputy Probation Officer

APPROVED:
[Signature]
Supervising Deputy Probation Officer

Date: 7-30-79

I hereby apply to the proper authority to review the decision of the Probation Officer not to file a petition in the above matter pursuant to WIC 655. I further request that a Juvenile Court Petition be filed in this matter.

Signed _____
Agency _____
Date _____

Date received by reviewing authority _____
Action: Probation Officers Decision Affirmed _____
Juvenile Court Petition Filed _____

Signature of Reviewing Authority _____
Title _____
Date _____

FINANCIAL STATEMENT

- 1. CASE NAME Billy Bob Bean 2. DATE _____
- 4. Responsible Relative James Bean 3. CASE # _____
- 5. Are you receiving aid? yes 6. Case Worker _____
(Yes/No)
- 7. Are you employed? _____ 8. Employer _____
(Yes/No)
- 9. Address _____ 10. Phone _____
- 11. Spouse _____
- 12. Spouse's Employer _____
- 13. Address _____ 14. Phone _____
- 15. Number of minor children dependent on income _____
- 16. Gross Monthly Family Income (Total of 17, 18, 19) _____
- 17. Self _____ 18. Spouse _____ 19. Other _____
- 20. Deductions from gross income (Total of 21 thru 29) _____
- 21. Monthly medical expense in excess of 3% of income _____
- 22. Monthly child care expense (necessary for employment) _____
- 23. Monthly dependent support payments _____
- 24. Mandated monthly deductions for retirement plan _____
- 25. Income tax deductions _____
- 26. F.I.C.A. Deductions _____
- 27. Disability Insurance Deductions _____
- 28. Union Dues _____
- 29. Adjusted Gross Income: (subtract line 20 from line 16) _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed at _____, California, this _____ of _____ 19____

Witnessed _____ Signed _____

Based on the foregoing financial statement and pursuant to the Monthly Charge Schedule establishing the reimbursement of the County of Fresno _____ is a responsible relative of _____ and is financially able to pay _____ per day for the cost of maintenance in (Juvenile Hall), (C.K. Wakefield), (foster home), (other) _____

Dated: _____

JAMES ROWLAND
PROBATION OFFICER

By Sobyn Mawata

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

FOR COURT USE ONLY

FILED

AUG 03 1979

GALEN LARSON, Clerk

Joyce Chance

CLK 5000.00 E08-70 R09-78

IN THE MATTER OF:

Name and address:

Billy Bob Brown
1034 N. Cedar
Fresno, CA 93702

NOTICE OF HEARING (JUVENILE)

CASE NUMBER:

46742

THE PEOPLE OF THE STATE OF CALIFORNIA:

1. To the Above Named Person and

Name and address:

Willis and Loraine Brown
1034 N. Cedar
Fresno, CA 93702

Name and address:

You are hereby cited and required to appear at the hearing on the attached petition as follows

- a. Date: 8-14-79 Time: 11:30 A.M. Dept.: B. Div.: Room.No.:
b. Address of court
(1) Juvenile Hall, 744 South Tenth Street, Fresno, California.
(2) Fresno County Courthouse, 1100 Van Ness Avenue, Fresno, California.
(3) Other (Specify):

3. This proceeding has been instituted under the following Welfare and Institutions Code Section

- a. 300(a) 300(b) 300(c) 300(d)
b. 601(a) 601(b)
c. 602

4. A parent or guardian may be required to participate in a counseling program with the above named minor

Dated: 7/31/79

Clerk of the Court, by

Joyce Chance
Joyce Chance

Deputy

NOTICE TO THE PERSON SERVED

YOU ARE ENTITLED TO HAVE AN ATTORNEY PRESENT AT THE HEARING ON THE PETITION. IF YOU ARE INDIGENT, CANNOT AFFORD AN ATTORNEY, AND YOU DESIRE TO BE REPRESENTED BY AN ATTORNEY, ONE WILL BE APPOINTED AT THE TIME OF THE HEARING.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy of the foregoing was mailed certified mail with request for return receipt first class, postage prepaid, in a sealed envelope addressed as shown above, and that the mailing of the foregoing and execution of this certificate occurred at Fresno, California,

on (Date):

Clerk of the Court, by

Deputy

See reverse side for proof of personal service.

The singular includes the plural. A copy of the petition must be attached to all copies of this notice which are served.

- Distribution: 4
 1. County Clerk's File
 2. Clerk's Minutes
 3. Probation Office File
 4. Minor

FILED
 For Use of County Clerk Only

AUG 02 1979

GALEN LARSON
 County Clerk

A COPY OF THIS ORDER WAS SERVED
 UPON THE MINOR IN OPEN COURT.

CLK-6013.00 803-73 R05/73

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN T/N

DATE: 7/31/79 DEPT: B
 ACTION NO. 46742 FILED: 7/30/79

A minor born: 4/9/63 T/D

PRESENT:	PRESENT BEFORE THE COURT:	WITNESSES SWORN:
<u>Jury M Carter</u> Judge	<input checked="" type="checkbox"/> MINOR	
<u>Barbara Swan</u> Referee	<input checked="" type="checkbox"/> FATHER/MOTHER	
<u>V. Vaughn</u> Clerk	<input checked="" type="checkbox"/> D.P.O. <u>A. Edwards</u>	
	<input checked="" type="checkbox"/> D.P.D. <u>M. Bordinilla</u>	
	<input checked="" type="checkbox"/> D.D.A. <u>G. Kanak</u>	
	<input type="checkbox"/> OTHER:	

THE COURT:

- Advised minor of rights to counsel, against self-incrimination, and to confrontation and cross-examination of persons examined.
- Advised persons present of reason minor was placed in custody.
- Advised persons present of nature of juvenile court proceedings.
- Read petition to person's present.
- Appointed District Attorney to represent minor.
- Minor waived right to counsel (with concurrence of parent).
- Other Minor states standards right as depicted by film
- Appointed Public Defender to represent minor and/or parent(s).
- Accepted minor's admission to petition after minor waived his right to a jurisdictional hearing and admitted the petition with consent of counsel after waiving his rights against self-incrimination and confrontation by and cross-examination of witnesses.
- Heard relevant evidence as offered by the minor, his parent(s), or guardian(s) and the Probation Officer.
- Other

FINDINGS:

- Notice of hearing was duly given waived
- Minor is a person described in Section 600, 601, 602 or _____ of the Welfare and Institutions Code.
- The minor should be released pending adjudication/disposition hearing.
- It is necessary to place the minor outside his home pending hearing.
- Other
- The allegations of petition/as amended found true as to count(s) One (1) - reasonable doubt by miss statement and dismissed by Declaration
- Continued detention of said minor is necessary for the reason that:
 - The minor has violated an order of the Juvenile Court.
 - The minor has escaped from a commitment of the Juvenile Court.
 - It is a matter of immediate and urgent necessity for the protection of such minor or the person or property of another.
 - The minor is likely to flee the jurisdiction of the court.

MINOR VOLUNTARILY SIGNED DECLARATION BY JUVENILE AND STATED IT WAS READ AND MINOR FULLY UNDERSTANDS ALL LEGAL RIGHTS, COURT'S POWERS, DISPOSITIONAL POSSIBILITIES & ADMISION CONSEQUENCES CONTAINED THEREIN.

IT IS HEREBY ORDERED, _____ of the Fresno County Juvenile Court, do hereby order that the minor be placed in the custody of _____ for suitable placement pending hearing.

- The minor is released to parent(s) pending adjudication/disposition hearing under the following conditions:
- obey parents
 - attend school regularly and obey school regulations
 - be on house arrest (_____ curfew) except to attend school or work
 - obey all laws
 - not to associate with _____

The minor is detained in Fresno County Juvenile Hall pending adjudication/disposition hearing.
 The minor is released in charge of the Probation Officer to be placed/remain in a licensed foster home pending adjudication hearing.

Warrant Dated 7-31-79 is recalled there is ordered to return for hearing
 Dated: Fresno, California: 7-31-79

Adjudication (disposition) hearing set for 8-14-79 at 10:30
Dept B - Room 3
Jury M. Carter
 Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:
 Dated: Fresno, California: 8/1/79

Theresa Wynn-Kearns
 Judge of the Superior Court

DETENTION/ARRAIGNMENT MEMO

MINOR: Billy Bob Brown COURT NUMBER: _____

HEARING DATE: 7-31-79 CASE P.O.: R. Marootian

PARENTS/GUARDIAN (Indicate) NAME: Willis and Loraine Brown

WILL APPEAR: YES NO _____ REASON: _____

NOTICE GIVEN BY: N. Suzuki ON: 7-30-79 VIA: phone

INTERPRETER NEEDED: YES _____ NO DATE CLERK NOTIFIED: _____

MINOR'S CURRENT STATUS: JHXX AH _____ NIC _____

RECOMMENDATION:

RELEASE _____ WITH FOLLOWING ORDERS: _____

DETAIN JH _____ SHD AH _____

DETENTION REASONS (Circle number of appropriate reasons and give explanation if needed.)

1. Violation of Court order dated _____ ordering _____

2. Escaped from Juvenile Court commitment _____

3. Likely to flee jurisdiction based on prior runaways, warrants, and FTA _____

4. Urgent and immediate necessity for minor's protection Since 1/79, s/m has been arrested on 5 separate occass. f/petty theft. S/m has an alcohol problem and is in need of counselling.

5. Reasonable necessity for protection of person or property of another _____

ADDITIONAL INFORMATION:

Sole wardship admonishment requested: YES _____ NO

Prior probation contacts and disposition (Including citations, informal and formal) _____
S/m has made several appearances before the Court in the past 2 yrs. Most of the chargs filed have been dismiss. S/m was dismiss from prob. in March 1979.

Other factors that should be brought to the Court's attention that have bearing on a release or detention decision, such as history of offense similar to instant petitioned offense, non-compliance with previous court or probation orders (i.e. CSWP), family ability to control, etc. S/m has been arrested 4 separate times (jan. 9, 1979;

xxx 1-15-79; 2-22-79, and 7-12-79) for PC 647f. All of those chares were closed insuff evid as s/m was arrested in his own home. The mother reports s/m has a serious alcohol ~~prblem~~ problem and is requesting counselling. The mother says she will cooperate in this situation.

N. Suzuki
Intake Probation Officer

7-27-79
Date

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702	For Court Use Only <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> AUG 02 1979 GALEN LARSON, Clerk By: <i>[Signature]</i> CLK 5036.00 E09-78 R00-00 CASE NUMBER: 46742
IN THE MATTER OF (Name and address): <i>Billy Bob Brown</i> <i>1034 North Cedar</i> <i>Fresno, Cal. 93702</i> Age: <i>16</i> Date of birth:	
DECLARATION AND ACKNOWLEDGMENT OF RIGHTS (JUVENILE)	

DECLARATION OF JUVENILE

1. Concerning myself

a. My true name is: <i>Billy Bob Brown</i>	c. My current address is:
b. My birthdate is:	d. My grade in school is:

2. Concerning my family

a. My father's name is:	c. My mother's name is:
b. His address is:	d. Her address is:

3. Concerning the charge against me

a. I understand that a petition <input checked="" type="checkbox"/> has been <input type="checkbox"/> will be filed.	
b. The charge has been fully explained to me by (Name and title):	
c. The nature of the charge is	
(1) <i>6.47 F</i>	(2)
(3)	(4)
(5)	(6)
d. I understand that, if I am to appear in court, the procedure is started when a petition, which tells me of the charge against me, is filed.	

4. Concerning my constitutional and other legal rights, I have the right to

a. Have an attorney represent me at all court proceedings and, if I am unable to afford an attorney, I have the right to have the court appoint an attorney to represent me	WAIVED AS INDICATED
b. If detained, have a hearing before the court, within 48 hours from the time I was first detained, excluding days in which the court is closed, to determine if I should be released or detained while waiting for the next court hearing	
c. Have a hearing before the court to determine if the charge against me is true or false, within 30 calendar days from the date the petition is filed or within 15 court days from an order detaining me, unless I waive such time limits	x <i>BB</i>
d. Have my parent or guardian present at all times during a court hearing, and in addition, any other person with the permission of the court	
e. Exercise my privilege against self-incrimination by remaining silent and not making a statement or testifying. I understand that, if I make a statement or testify, anything I say may be used against me in the hearing or in any other proceeding	x <i>BB</i>
f. Present evidence in my favor and have the court compel any witness or evidence I may have on my behalf to be present or brought to the hearing. This right also extends to my parent or guardian and attorney	x <i>BB</i>
g. See, hear and question the person who prepared any police report, probation report, or other document submitted by the petitioner and to have my attorney cross-examine such person on my behalf and in my presence	x <i>BB</i>
h. Have the charge dismissed unless the court, after hearing all of the evidence, finds the charge to be true beyond a reasonable doubt	x <i>BB</i>

5. If the court finds the charge to be true beyond a reasonable doubt or I admit the charge, I have the right to have a hearing before the court to determine what action the court should take.

6. I understand that I or my parent or guardian may apply in writing for a rehearing of any matter heard before a Juvenile Court Referee. I understand that a request for a rehearing before a Judge of the Juvenile Court must be made no later than 10 days after a copy of the Referee's order is served.

7. I understand that my parent or guardian may be held liable, according to their financial ability, for the cost incurred by the County for my maintenance at Juvenile Hall or C.K. Wakefield school, as well as the cost of having an attorney appointed and probation services.

The singular includes the plural.

(Continued on reverse)

**DECLARATION AND ACKNOWLEDGMENT OF RIGHTS
(JUVENILE)**

8. I understand that, if I admit the charge against me, I will be giving up my constitutional and other legal rights.

9. If the charge against me is found true or I admit the charge, the things that can happen to me are

- a. Being placed on formal probation without wardship for a period of six months or on probation with wardship until I am 21 years old.
- b. Having reasonable conditions concerning my custody, control, supervision, care and conduct imposed upon me by the court.
- c. Being required to perform community service work for a specified period of time.
- d. Being adjudged a ward of the court.
- e. Being removed from my home and placed in a suitable foster home, group home, school or private institution.
- f. Being committed to Fresno County Juvenile Hall.
- g. Being committed to C.K. Wakefield School or a similar place for a period not to exceed one year, subject to being extended on an annual review by the court.
- h. Being sent to some other placement, school or institution which can help me with my problem and rehabilitation.
- i. Being committed to the California Youth Authority.

10. Do you understand all of your above mentioned rights? YES NO (If no, explain):

11. Do you have any questions concerning your rights? YES NO (If yes, specify):

12. Do you freely and voluntarily admit the charge? YES NO

13. Has anyone promised you anything or threatened you or any member of your family to cause you to admit the charge? YES NO (If yes, explain):

14. Do you understand that what will happen to you will be decided entirely by the court? YES NO

15. Are you admitting the charge because it is, in fact, true? YES NO

16. What did you do that makes you believe the charge is true? (Give the date and a brief statement, in your own words, of what happened):

On (Date): on 7-26-79 I was drunk in public and unable to care for myself

17. Knowingly and fully understanding all of the above, I freely, willingly and voluntarily, without any threats or promises (Except as indicated in item 13) being made to me, give up my right to further instructions by the court. I further give up (Waive) my rights as indicated by my initials in item 4. (Place your initials after each right in item 4 which you give up (Waive)).

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on (Date): 7-31-79 Billy Brown Signature

DECLARATION OF PARENT, GUARDIAN OR RELATIVE

I declare that I am familiar with the foregoing declaration of the juvenile and I concur with said declaration. No threats or promises (Except as indicated in item 13) were made to the minor or myself in order to induce the minor to sign the foregoing declaration. The declaration was signed voluntarily only after the minor's constitutional and other legal rights were fully explained to and understood by the minor and myself. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on

(Date): 7-31-79 Laura Brown Signature Father Mother Guardian Relative (Relationship):

DECLARATION OF PROBATION OFFICER OR ATTORNEY

I declare that I fully explained all of the foregoing Declaration of Juvenile to the minor and the minor's parent, guardian or relative. I also fully explained the foregoing Declaration of Parent, Guardian to said declarant. I further declare that after stating that they understood all of the foregoing and possible consequences, they voluntarily, without any threats or promises (Except as indicated in item 13), signed said declarations and I witnessed said signatures. I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed at Fresno, California on

(Date): 7-31-79 Michael Borden Signature Probation Officer Attorney

DECLARATION OF INTERPRETER ATTA

FILED

<p align="center">SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO JUVENILE COURT 744 SOUTH TENTH STREET FRESNO, CALIFORNIA 93702</p>	<p>For Court Use Only</p> <p align="right">JUL 30 4 53 PM '79</p> <p align="right"><i>[Signature]</i> DEPUTY</p> <p>CLK 5020.00 E08-78-R00-00</p> <p>CASE NUMBER: **46742</p>
<p>IN THE MATTER OF (Name and address):</p> <p>BILLY BOB BROWN 1034 North Cedar Fresno, California 93702</p> <p>Age: 16 Date of birth: April 9, 1963</p>	
<p>PETITION (JUVENILE)</p>	

1. Petitioner requests that a hearing be calendared in this matter and alleges that the above named person is, or was on the date of the commission of the alleged act, under eighteen (18) years of age and
- a. comes within the provisions of Welfare and Institutions Code Section: 601 602
 - b. committed the following act set forth in attachment 1b

Count 1: Said minor, Billy Bob Brown, on or about July 26, 1979, in the County of Fresno, State of California, did willfully and unlawfully be in a public place under the influence of intoxicating liquor, a drug, toluene, a substance defined as a poison in Schedule D of Section 4160 of the Business and Professions Code, and a combination of intoxicating liquor, a drug, toluene, and such poison in such a condition that he was unable to exercise care for his own safety and the safety of others and did interfere with, obstruct, and prevent the free use of a street, sidewalk, and other public way, thereby violating Section 647(f), a misdemeanor, of the Penal Code of California.

2. Said person was
- a. not detained
 - b. detained on (Date): 7-27-79 at (Time): 11:30 p.m. and released on (Date):

3. Parent, guardian or relative (Name and address)
- | | | |
|--|---|---------------------------|
| (1) Father:
Willis Brown
Same as minor | (2) Mother:
Loraine Brown
Same as minor | (3) Guardian or relative: |
|--|---|---------------------------|

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief and that this declaration is executed at Fresno, California, on (Date): July 30, 1979

Myron Shapiro

(Type or print name)

Deputy District Attorney Probation Officer

- 4. Interpreter required (Spanish language, unless otherwise specified):
- 5. Probation officer assigned (Full name): Salas
- 6. District attorney file number: 79-5744 bd
- 7. Probation office file number: 112568

Singular includes the plural.

FILED

JUN 28 1979

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS JUVENILE COURT

GALEN LARSON, Clerk
[Signature]

In the Matter of:

BILLY BOB BROWN
Age 17 Birthdate 4-9-62

No. 46742
DISMISSAL

TO THE ABOVE ENTITLED HONORABLE COURT:

Your Probation Officer respectfully recommends the dismissal of the above entitled case for the reason that:

Minor has been on probation for extended period of time, counseling has proven ineffective in said minor's rehabilitation.

Dated: This 27th day of June, 19 79

Respectfully submitted,

JAMES ROWLAND, PROBATION OFFICER

By *[Signature]*
Supervising Deputy Probation Officer

ORDER

Good cause appearing therefor: IT IS ORDERED, ADJUDGED AND DECREED that the above entitled matter be, and is hereby dismissed.

Dated: This 27th day of June, 19 79

[Signature]
REFEREE/JUDGE OF THE JUVENILE COURT

NOTICE TO MINOR

Your probation has been dismissed. If you conduct yourself lawfully until you are eighteen (18) years of age, or for five (5) years following your dismissal from probation, whichever occurs first, you may petition the court to have your juvenile record cleared by personally applying at the Probation Department. Keep this form and bring it with you when you petition the court.

CASE SUMMARY

CASE NAME Billy Bob Brown COURT NO. 46742 DATE 5-15-79

() Supervision Plan () Quarterly Report (**xx**) Dismissal

() Transfer to: _____

Address: 2438 S. Cedar Phone: _____

Last Dispositional Hearing: 10-27-77 Offense: petty theft

I. CASE OBJECTIVES

Refrain from use of alcohol beverages.

II. COURT ORDERS/PROBATION ORDERS:

Adjudged a ward of the Court until further order of the Court. Said minor was released to his mother and was ordered to obey. Minor was ordered to attend counseling, not to go onto into property other than his own without proper consent.

III. HOME ADJUSTMENT:

Aside from much sibling rivalry, no further problems reported.

IV. SCHOOL/JOB ADJUSTMENT:

Minor is currently receiving home instructions on a daily basis.

V. COMMUNITY ADJUSTMENT:

Said minor has been arrested on three occasions in the past five months for 647 f (January 9 & 15 and February 22, 1979) However no court action was taken due to insufficient evidence. Counseling has proven ineffective.

Approved by s/ Robert S. Crosby Prepared by s/ Cecil N. Salas

Transfers Only: Received: Date: _____

Accepted/Rejected by: _____

Assigned to: _____

____ Clerical

NAME AND ADDRESS OF ATTORNEY: JOHN N. KOPSINIS 1330 "L" St., Ste. E Fresno, CA 93721		TELEPHONE NO.: 485-6710	For Court Use Only: FILED SEP 29 1978 GALEN LARSON, Clerk <i>Galen Larson</i> CLK 3012.00 E08-70 R02-76
ATTORNEY FOR: Plaintiff			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO 1100 Van Ness Avenue, P.O. Box 1628 Fresno, California 93717			
PLAINTIFF: In the matter of the minor BILLY BOB BROWN.			
DEFENDANT:			
APPLICATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES			Case Number: 46742

1. I am an attorney at law duly admitted to practice in the State of California. I have not received compensation in this matter and according to my information and belief the person I represented has not had since the date of my appointment and does not now have any money or property with which to pay my fees or expenses which are claimed in this application. I hereby make application for payment of fees as follows (See footnote * below before completing):

- a. Appointed to represent (Name): Billy Bob Brown
- b. Appointed on (Date): 2/15/78
- c. Legal services terminated on or about (Date): 9/14/78
- d. Attorney's fees claimed (Amount): \$ 50.00
- e. Expense fees claimed (Amount): \$ -0-
- f. Total Amount claimed: \$ 50.00
- g. Legal services performed (Specify):

In the initial petition 46742, which pertains to a burglary at the Pinedale Boys Club, I have made three appearances for confirmation hearings which have been continued until the matter was dismissed on 9/14/78. Time spent two hours at \$25.00 per hour equals \$50.00.

h. Expenses paid out for (Specify):

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (Date): 9/21/78
at (Place): Fresno, California.

John Kopsinis

(Type or print name)

John Kopsinis
(Signature of applicant)

(Continued on reverse side)

*Submit the original of this application and one copy. Declarations under penalty of perjury signed in California may be used in place of affidavits (CCP 2015.5). Affidavits required when signed outside California.

ORDER

2. The foregoing application has been considered and the court finds the following fees to be reasonable:

- a. Attorney's fees (Amount): \$ \$50.00.
- b. Expense fees (Amount): \$ -0-
- c. Total fees (Amount): \$ \$50.00

3. It is ordered that the total fees shown above in item 2c be paid out of the Fresno County General Fund.

Dated:

9/25/78

Paulene Rose

Judge of the Superior Court

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

PC 439F
 4:55 PM
 4:50 AM

[] Mailing Required

FILED

CLK 6011.00 E08-70 R 04-74

JUL 14 1978

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT *Galen Larson, Clerk*

IN RE: BILLY BOB BROWN
 A minor born: 4-9-63

DATE: 7-13-78
 ACTION NO. 48742 FILED: 7-13-78

PRESENT BEFORE THE COURT: WITNESSES SWORN:

<u>W.A. Sanderson</u>	Judge	<input checked="" type="checkbox"/>	MINOR	<input checked="" type="checkbox"/>	FATHER/MOTHER
<u>S. Brown</u>	Referee	<input checked="" type="checkbox"/>	D.P.O.	<u>A. Edwards</u>	
	Clerk	<input checked="" type="checkbox"/>	D.P.O.		
	Reporter	<input checked="" type="checkbox"/>	D.P.A.	<u>F. Lopez</u>	
	Bailiff	<input checked="" type="checkbox"/>	OTHER:	<u>J. Kopsinski</u>	

THE COURT:

Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
 Read and explained petition.
 Advised person(s) present of nature, procedure and consequences of hearing.
 Determined residence and age of minor.
 Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
 Appointed Counsel.

At Req of DA Consent of Mr Curle Mother continued

FINDINGS:

Notice of Hearing was duly served/waived.
 Allegation(s) of petition/as amended found true/as to count(s) _____ dismissed.
 Minor is _____ a person described by Section 601/602.
 Minor is a person unfit for Juvenile Court.
 Legal residence is Fresno _____ County.
 Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

Continued need appears for the court's protective care of said minor.
 The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
 Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

Minor placed on six months probation w/o wardship.
 Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
 Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
 Minor placed in custody of _____
 County to pay authorized maintenance/until A.F.D.C. is established.
 Transfer to _____ County.
 Minor committed to _____
 Minor detained in Juvenile Hall pending _____
 Court reserves right to set restitution.
 Pay restitution in amount of \$ _____
 Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance for dependent.
 Continued to 9-7-78 9:45 AM

OTHER ORDERS:

CONDITIONS OF PROBATION:

Obey and respect authority of _____ parents.
 Obey all laws.
 Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
 Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
 Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
 Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
 Remain on house arrest/ _____ curfew until probation officer modifies or _____
 Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
 Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Filed: Fresno, California: 7-13-78

[Signature]
 Judge/Referee of the Superior Court

 Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

NAME AND ADDRESS OF ATTORNEY: JOHN N. KOPSINIS 330 "L" Street, Suite E Fresno, CA 93721		TELEPHONE NO.: (209) 485-6710	For Court Use Only: FILED JUL - 1978 GALIN LARSON, CLK: <i>Galen Larson</i> CLK 3012.00 E08-70 R02/75
ATTORNEY FOR: <u>Minor</u>		SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO 1100 Van Ness Avenue, P.O. Box 1628 Fresno, California 93717 JUVENILE COURT	
PLAINTIFF: In the Matter of BILLY BOB BROWN			
DEFENDANT:			
APPLICATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES			Case Number: 46742

PARTIAL FEE APPLICATION

1. I am an attorney at law duly admitted to practice in the State of California. I have not received compensation in this matter and according to my information and belief the person I represented has not had since the date of my appointment and does not now have any money or property with which to pay my fees or expenses which are claimed in this application. I hereby make application for payment of fees as follows (See footnote * below before completing):
 - a. Appointed to represent (Name): BILLY BOB BROWN
 - b. Appointed on (Date): February 15, 1978
 - c. Legal services terminated on or about (Date): Continuing
 - d. Attorney's fees claimed (Amount): \$ 256.25
 - e. Expense fees claimed (Amount): \$ None
 - f. Total Amount claimed: \$ 256.25
 - g. Legal services performed (Specify): See Attached Time Sheet
 - h. Expenses paid out for (Specify):

RECEIVED
MAR 8 - 1978
SUPERIOR COURT
DEPT. NO. 8

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (Date): 3/9/78.....
at (Place): Fresno....., California.

JOHN N. KOPSINIS
(Type or print name)

John N. Kopsinis
(Signature of applicant)

(Continued on reverse side)

Submit the original of this application and one copy. Declarations under penalty of perjury signed in California may be used in place of affidavits (CCP 2015.5). Affidavits required when signed outside California.

ORDER

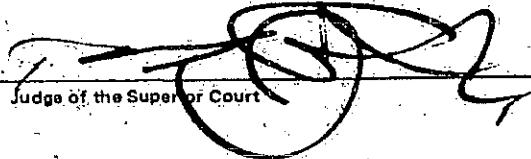
2. The foregoing application has been considered and the court finds the following fees to be reasonable:

- a. Attorney's fees (Amount): \$256.25
- b. Expense fees (Amount): \$ ---
- c. Total fees (Amount): \$256.25

ok. JWC
3/13/78

3. It is ordered that the total fees shown above in item 2c be paid out of the Fresno County General Fund.

Dated: JUNE 7, 1978



Judge of the Superior Court

JOHN N. KOPSINIS
ATTORNEY AT LAW
1330 L STREET, SUITE E
FRESNO, CALIFORNIA 93721
(209) 485-6710

March 9, 1978

The Honorable Jay Monte Carter
Juvenile Court Judge
744 South 10th Street
Fresno, CA


Re: BILLY BOB BROWN
Case No. 46742

Dear Judge Carter:

I enclose our Application for partial fee payment as we are continuing to represent Mr. Brown.

In the Time Sheet that is attached, we show some six and a half hours for attendance at the Preliminary Hearing which involved the adults. As you know, Billy testified against the adults and it was necessary that I attend that Preliminary Hearing on the 27th and for an additional half hour on the 28th to insure that the minor's rights were protected pursuant to the Immunity Order.

Sincerely,



JOHN N. KOPSINIS

JNK:lsc
Enclosure

RE: BILLY BOB BROWN
No. 46742

TIME SHEET

Date	Services Rendered	Time
2/15/78	Appointed	---
2/17/78	Interviewed Client	1 hour
2/23/78	Confirmation	1/2 hour
2/26/78	Review Police Reports Interview Client	1 hour
2/27/78	Attend Preliminary Hearing 9:15 - 12:00 1:30 - 5:15	6 1/2 hours
2/28/78	Attend Preliminary Hearing 4:30 - 5:00	1/2 hour
3/3/78	Adjudication	1/4 hour
	TOTAL HOURS	10 1/4 hours

NAME AND ADDRESS OF ATTORNEY: JOHN N. KOPSINIS 330 "L" Street, Suite E Fresno, CA 93721		TELEPHONE NO.: (209) 485-6710	For Court Use Only: FILED MAY 3 1978 CALEN LARSON, Clerk By: <i>Alene Y. Zibian</i> CLK 3012.00 E08-70 R0276 DEPUTY
ATTORNEY FOR: Minor			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO 1100 Van Ness Avenue, P.O. Box 1628 Fresno, California 93717		JUVENILE COURT	
PLAINTIFF: In the Matter of BILLY BOB BROWN			
DEFENDANT:			
APPLICATION AND ORDER FOR PAYMENT OF ATTORNEY'S FEES		Case Number: 46742	

PARTIAL FEE APPLICATION

1. I am an attorney at law duly admitted to practice in the State of California. I have not received compensation in this matter and according to my information and belief the person I represented has not had since the date of my appointment and does not now have any money or property with which to pay my fees or expenses which are claimed in this application. I hereby make application for payment of fees as follows (See footnote * below before completing):

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- b. Appointed on (Date): February 15, 1978
- c. Legal services terminated on or about (Date): Continuing
- d. Attorney's fees claimed (Amount): \$ 256.25
- e. Expense fees claimed (Amount): \$ None
- f. Total Amount claimed: \$ 256.25
- g. Legal services performed (Specify): See Attached Time Sheet.

h. Expenses paid out for (Specify):

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (Date): 3/9/78.....
at (Place): Fresno....., California.

JOHN N. KOPSINIS.....
(Type or print name)

John N. Kopsinis
(Signature of applicant)

(Continued on reverse side)

*Submit the original of this application and one copy. Declarations under penalty of perjury signed in California may be used in place of affidavits (CCP 2015.5). Affidavits required when signed outside California.

ORDER

2. The foregoing application has been considered and the court finds the following fees to be reasonable:

a. Attorney's fees (Amount): \$ 256 . 25
b. Expense fees (Amount): \$ ---
c. Total fees (Amount): \$ 256 . 25

3. It is ordered that the total fees shown above in item 2c be paid out of the Fresno County General Fund.

Dated: 1747 3 1978



Judge of the Superior Court

RE: BILLY BOB BROWN
No. 46742

TIME SHEET

Date	Services Rendered	Time
2/15/78	Appointed	---
2/17/78	Interviewed Client	1 hour
2/23/78	Confirmation	1/2 hour
2/26/78	Review Police Reports Interview Client	1 hour
2/27/78	Attend Preliminary Hearing 9:15 - 12:00 1:30 - 5:15	6 1/2 hours
2/28/78	Attend Preliminary Hearing 4:30 - 5:00	1/2 hour
3/3/78	Adjudication	1/4 hour
	TOTAL HOURS	10 1/4 hours

Billing

The Honorable Jay Monte Carter
Juvenile Court Judge
744 South 10th Street
Fresno, CA

Re: BILLY BOB BROWN
Case No. 46742

Dear Judge Carter:

I enclose our Application for partial fee payment as we are continuing to represent Mr. Brown.

In the Time Sheet that is attached, we show some six and a half hours for attendance at the Preliminary Hearing which involved the adults. As you know, Billy testified against the adults and it was necessary that I attend that Preliminary Hearing on the 27th and for an additional half hour on the 28th to insure that the minor's rights were protected pursuant to the Immunity Order.

Sincerely,

JOHN N. KOPSINIS

JNK:asc
Enclosure

Distribution: 4

Space for use of County Clerk Only

- 1. County Clerk's File (White)
- 2. Clerk's Minutes
- 3. Probation Office File (Pink)
- 4. Probation Officer

A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT.

FILED

MAY - 1978

By Alroy J. Zeman DEPUTY

CLK 6011.00 E08-70 R 04-74

PC 4597
488 M
PC 415 X 1
[] Mailing Required

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT**

IN RE: BILLY BOB BROWN
A minor born: 4-9-63

DATE: 5-3-78 DEPT.: 8
ACTION NO. 46742 FILED: 2-9-78

PRESENT BEFORE THE COURT: WITNESSES SWORN:

<u>W.H. Sanderson</u> Judge	<input checked="" type="checkbox"/> MINOR	<u>A. Edwards</u> FATHER/MOTHER
<u>M. Betterman</u> Referee	<input checked="" type="checkbox"/> D.P.O.	
	<input checked="" type="checkbox"/> D.P.O.	
	<input checked="" type="checkbox"/> Z.O.A.	
	<input checked="" type="checkbox"/> OTHER: <u>Jabu Kapsner, David</u>	

THE COURT: Confirm

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.
- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel: Created

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s).
- Count(s) dismissed.
- Minor is a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.
- Transferred to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for maintenance for dependent.
- Continued to 7-13-78 @ 9 AM

OTHER ORDERS: _____

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION: _____

ADDITIONAL/CONTINUED HEARINGS: _____

Dated: Fresno, California: 5-3-78

W.H. Sanderson Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED: _____
Judge of the Superior Court

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

(602) SUBSEQ. 2/9/78:

1270 459 (1/25/78) F.
 488 (") M.
 3770 415 (1/27/78) M.

FILED

Alan Y. Zebian

Mailing Required

A COPY OF THIS ORDER WAS SERVED
 UPON THE MINOR IN OPEN COURT

CLK 6011-00 E08-70 R 04-74

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
 SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN
 A minor born: 4-9-63

DATE: 3-3-78 DEPT.: 8
 ACTION NO. 46742 FILED: 2-9-78 Subseq.
 WITNESSES SWORN: 2-10-78 "A"
2-14-78 "B"

PRESENT BEFORE THE COURT:

<u>JAY M. CARTER</u>	Judge	<input checked="" type="checkbox"/>	MINOR	<input checked="" type="checkbox"/>	FATHER/MOTHER
<u>W. F. MURPHY</u>	Referee	<input checked="" type="checkbox"/>	D.P.O.	<input checked="" type="checkbox"/>	<u>A. EDWARDS</u>
<u>R. FLEMING</u>	Clerk	<input checked="" type="checkbox"/>	P.A.	<input checked="" type="checkbox"/>	<u>JOHN KOSMINIS, APPOINTED</u>
	Reporter	<input checked="" type="checkbox"/>	D.D.A.	<input checked="" type="checkbox"/>	<u>M. SHAPIRO</u>
	Bailiff		OTHER:		

ADJUDICATION HEARING

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.
- Notice of hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s).
- Count(s) dismissed.
- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Minor is a person described by Section 601/602.
- Minor is a person unfit for juvenile Court.
- Legal residence is Fresno County.
- Time of hearing and notice was duly waived.

GRANTED JOINT COUNSEL MOTION FOR CONTINUANCE. IMMUNITY APPARENTLY GRANTED AS TO "A" & "B" PETITIONS, BUT DOCUMENT NOT IN FILE.

BY MINOR & COUNSEL

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remains ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____/Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance until A.F.D.C. is established.
- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
- Continued to _____ for disposition.

OTHER ORDERS:

MINOR & MOTHER ORDERED TO RETURN TO COURT 3/18 @ 9AM

ADDITIONAL ORDER: CE 1/11/78 SUBSEQUENT PETITION (ANY OTHER MATTER) PENDING.

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 3/3/78

Jay M. Carter
 Judge/Referee of the Superior Court
 Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

Space Below Signature of County Clerk Only

Alvin Y. Zebian

CLK 6011.00 E08-70 R 04-74

[] Mailing Required

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

SITTING AS THE JUVENILE COURT

IN RE: Bill Bob Brown

DATE: 2-28-78 DEPT.: 8

A minor born: _____

ACTION NO. 46742 FILED: _____

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

Judge	_____	MINOR,	_____	FATHER/MOTHER	_____
Referee	<u>W. H. Sanderway</u>	D.P.O.,	<u>M. B. Chew</u>		
Clerk	<u>J. W. Brown</u>	D.P.O.,			
Reporter		P.D.A.,			
Bailiff		OTHER:	<u>J. K. Kopsin's</u>		

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.
- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court, waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____
- Count(s) A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z dismissed.
- Minor is _____ a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno _____ County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____/Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance until A.F.D.C. is established.
- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
- Continued to _____ for disposition.

OTHER ORDERS:

Minor Granted Immunity; Minor ordered released from custody to MRS. JEFF.

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION: _____

ADDITIONAL/CONTINUED HEARINGS: _____

Dated: Fresno, California: 2-28-78

[Signature]
Judge Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Judge of the Superior Court

Distribution: 4

Space Br _____ of County Clerk Only

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

Mailing Required

CLK 6011.00 E08-77 R

How as filed as Probation card as 9-15-78 as Filed Clerk BK 9-19-78

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT**

IN RE: BILLY BOB BROWN

DATE: 9/14/78 DEPT.: 4

A minor born: 4/9/63

ACTION NO. 46742 FILED: 2/9/78

PRESENT BEFORE THE COURT:

<u>PAULINE D. HANSON</u> Judge	<u>NP</u> MINOR,	<u>NP</u> FATHER/MOTHER
<u>JOHN D. KEITH</u> Referee	<u>X</u> D.P.O.	<u>N. BOUCHER</u>
<u>TOM NUTT</u> Clerk	<u>X</u> D.F.O.	<u>J. KOPSINIS</u>
Reporter	<u>X</u> D.D.A.	<u>G. HOFF</u>
Bailiff	OTHER:	

WITNESSES SWORN:

THE COURT:

- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
- Read and explained petition.
- Advised person(s) present of nature, procedure and consequences of hearing.

CONF.

- Determined residence and age of minor.
- Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
- Appointed Counsel.

FINDINGS:

- Notice of Hearing was duly served/waived.
- Allegation(s) of petition/as amended found true/as to count(s) _____ dismissed.
- Count(s) _____ dismissed.

- Minor is _____ a person described by Section 601/602.
- Minor is a person unfit for Juvenile Court.
- Legal residence is Fresno County.
- Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).

Minor has been tried on probation and has failed to reform.

X ON MTH. OF P.A. PETITION IS DISM I. O. J. W/ PRES.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remains ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____ County to pay authorized maintenance/until A.F.D.C. is established.

- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
- Continued to _____ for disposition.

OTHER ORDERS:

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
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- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California; 9/14/78

Judge/Referee of the Superior Court

Judge of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Pauline D. Hanson
Judge of the Superior Court

W/O -- Without
S.S -- Suspended

J.H. -- Juvenile Hall
P.O. -- Probation Officer

F.O.C. -- Further Order of Court
W.P. -- Welfare Hall Work Program
EXHIBITS

C.Y.A. -- California Youth Authority
C.K.W.S. -- C.K. Wakefield School

601/602

FEB 29 10 19 AM '78 DEPUTY

Alan Y. Z...

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF FRESNO

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

DOUGLAS RAY STANKEWITZ,
MARLIN E. LEWIS,
CHRISTINA G. MENCHACA and
TEENA E. TOPPING,

Defendants.

MUNI COURT CASE NO. F-32495
DA FILE: 78-1060

ORDER OF IMMUNITY

IN THE MATTER OF:)
BILLY BOB BROWN.)

IT APPEARING TO THE COURT THAT BILLY BOB BROWN is a necessary and material witness for the People of the State of California, in and for the County of Fresno, in the matter of the PEOPLE OF THE STATE OF CALIFORNIA VS. DOUGLAS RAY STANKEWITZ, MARLIN E. LEWIS, CHRISTINA G. MENCHACA AND TEENA E. TOPPING, Fresno Municipal Court Case No. F-32495, charged with VIOLATION OF SECTIONS 211, 209(b), 211, 209(b), 664/187, 187 OF THE PENAL CODE and VIOLATION OF SECTION 10851 OF THE VEHICLE CODE, set for

1 Preliminary Hearing on the 27th day of FEBRUARY, 1978, at the
2 hour of 9:15 a.m.;

3 That pursuant to the Agreement entered into between
4 the People of the State of California, in and for the County
5 of Fresno, and BILLY BOB BROWN, that no criminal prosecution
6 for questions answered or evidence produced by said BILLY BOB
7 BROWN antecedent to, during the pendency of, or subsequent
8 to and in any way connected with the aforementioned crimes
9 which occurred on or about the 8th day of FEBRUARY, 1978, in
10 the County of Fresno, State of California, will be undertaken
11 by the People of the State of California, in and for the
12 County of Fresno, pursuant to California Penal Code section
13 1324 and the Agreement stated in the Affidavit between the
14 parties.

15 IT IS THEREFORE ORDERED that immunity from prosecution
16 for events elicited during the testimony for the aforementioned
17 crimes which occurred on or about the 8th day of FEBRUARY, 1978,
18 be GRANTED to BILLY BOB BROWN.

19 DATED: FEBRUARY 27, 1978, at FRESNO, CALIFORNIA.
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23 
24 _____
25 JUDGE OF THE SUPERIOR COURT
26
27

28 DA FILE: 78-1060

1 WILLIAM A. SMITH 35715
District Attorney
2 JAMES A. ARDAIZ 60455
Chief Deputy District Attorney
3 County of Fresno
Room 701 - County Courthouse
4 Fresno, California 93721
5 Telephone: (209) 488-3141
6 ATTORNEY FOR PLAINTIFF

REC-40742 E D
FEB 23 10 18 AM '78 94011-1878

CALL...
Alfred Y. Julian
DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF FRESNO

10 THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
11)
Plaintiff,)
12)
vs.)
13)
DOUGLAS RAY STANKEWITZ,)
14 MARLIN E. LEWIS,)
CHRISTINA G. MENCHACA and)
15 TEENA E. TOPPING,)
16 Defendants.)
17)

MUNI COURT CASE NO. F-32495
DA FILE: 78-1060

A F F I D A V I T

18 IN THE MATTER OF:)
19)
BILLY BOB BROWN.)
20 STATE OF CALIFORNIA)
21) ss.
COUNTY OF FRESNO)
22)

23 JAMES A. ARDAIZ, being first duly sworn, deposes and
24 says:

25 That he is a duly authorized and acting Chief Deputy
26 District Attorney of the County of Fresno, State of California;

27 That he is prosecuting the case of the PEOPLE OF THE
28 STATE OF CALIFORNIA VS. DOUGLAS RAY STANKEWITZ, MARLIN E. LEWIS,

1 CHRISTINA G. MENCHACA AND TEENA E. TOPPING, Fresno Municipal
2 Court Case No. F-32495, upon the charges of VIOLATION OF
3 SECTIONS 211, 209(b), 211, 209(b), 664/187, 187 OF THE PENAL
4 CODE and VIOLATION OF SECTION 10851 OF THE VEHICLE CODE, set
5 for Preliminary Hearing on the 27th day of FEBRUARY, 1978, at
6 the hour of 9:15 a.m., in the Municipal Court of the Fresno
7 Judicial District, County of Fresno, State of California;

8 That BILLY BOB BROWN is a necessary and material
9 witness for the People in said matter;

10 That said BILLY BOB BROWN personally observed and/or
11 participated in certain acts, events and conversations related
12 to and concerning the aforementioned crimes which occurred on
13 or about the 8th day of FEBRUARY, 1978;

14 That it appears that if BILLY BOB BROWN is called
15 to testify that he will refuse to answer questions and produce
16 evidence on the ground that he might be incriminated thereby;

17 That the use of the above-named person as a witness
18 is not contrary to the public interest and could not subject
19 said person to criminal prosecution in another jurisdiction.

20 THEREFORE, THE DISTRICT ATTORNEY OF THE COUNTY OF
21 FRESNO, STATE OF CALIFORNIA, HAS REACHED THE FOLLOWING AGREEMENT
22 WITH SAID BILLY BOB BROWN:

23 That said BILLY BOB BROWN will testify for the People
24 of the State of California, in and for the County of Fresno, as
25 to all facts, conversations, events and other evidence within
26 his knowledge bearing upon the case of the PEOPLE OF THE STATE
27 OF CALIFORNIA VS. DOUGLAS RAY STANKEWITZ, MARLIN E. LEWIS,
28 CHRISTINA G. MENCHACA, AND TEENA E. TOPPING, Fresno Municipal

1 Court Case No. F-32495, in the proceedings to be brought
2 against said Defendants for the above charges;

3 That said BILLY BOB BROWN will not exercise any
4 State or Federal Constitutional privilege not to testify;


5 That said BILLY BOB BROWN will tell the whole truth
6 and nothing but the truth;

7 That the People of the State of California, in and
8 for the County of Fresno, will not use any of BILLY BOB BROWN'S
9 testimony against him in any manner;

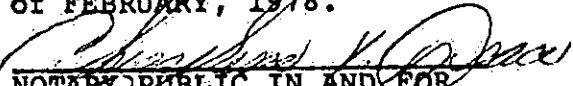
10 That this Agreement is entered into voluntarily and
11 without coercion by said BILLY BOB BROWN.

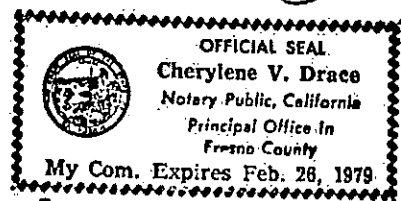
12 WHEREFORE, THE DISTRICT ATTORNEY OF THE COUNTY OF
13 FRESNO, STATE OF CALIFORNIA, REQUESTS THE COURT'S APPROVAL of
14 the before set forth Agreement pursuant to California Penal
15 Code section 1324 and execute an Order of Immunity in accordance
16 with California Penal Code section 1324, requiring the said
17 BILLY BOB BROWN to answer such questions and produce such
18 evidence which, but for California Penal Code section 1324,
19 this person would be privileged to withhold on the ground that
20 such testimony might be self-incriminating.

21 WILLIAM A. SMITH
22 DISTRICT ATTORNEY, IN AND
23 FOR THE COUNTY OF FRESNO,
24 STATE OF CALIFORNIA.

25 By 
26 JAMES A. ARBALIZ
27 CHIEF DEPUTY DISTRICT ATTORNEY

28 Subscribed and sworn to
before me this 27th day
of FEBRUARY, 1978.


NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE.



DA FILE: 78-1060

Page 3.

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

Space Below for use of County Clerk Only

FEB 9 1978

A COPY OF THIS ORDER WAS SERVED UPON THE MINOR IN OPEN COURT.

By: Alfred Y. Zebian DEPUTY

CLK 6011.00 E 6-70 R 03-74

[] Mailing Required

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN
A minor born: 4/9/63

DATE: 2-23-78 DEPT.: 8
ACTION NO. 46742 FILED: 2/9/78 Subseq.
PRESENT BEFORE THE COURT: 46742-A WITNESSES SWORN: 2/10/78 "A"
46742-B 2/14/78 "B"

<u>W.H. Anderson</u> Judge	<input checked="" type="checkbox"/> MINOR, <u>M. Secher</u> FATHER/MOTHER
<u>S. Sorenson</u> Referee	<input checked="" type="checkbox"/> D.P.O. <u>G. Holt & D. Dair</u>
<u>M. Bettenhauer</u> Clerk	<input checked="" type="checkbox"/> D.P.O.
	<input checked="" type="checkbox"/> D.O.A.
	<input checked="" type="checkbox"/> OTHER: <u>J. Koppert, M. D. P.</u>

CONFIRMATION HEARING (SUBSEQUENT, "A" & "B" PETITIONS)

- THE COURT:
- Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
 - Read and explained petition.
 - Advised parent(s) present of nature, procedure and consequences of hearing.
 - Advised minor since time
 - Determined residence and age of minor.
 - Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
 - Appointed Counsel.

- FINDINGS:
- Notice of Hearing was duly served/waived.
 - Allegation(s) of petition/as amended found true/as to count(s) _____ dismissed.
 - Minor is _____ a person described by Section 601/602.
 - Minor is a person unfit for Juvenile Court.
 - Legal residence is Fresno _____ County.
 - Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

- Continued need appears for the court's protective care of said minor.
- The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s).
- Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

- Minor placed on six months probation w/o wardship.
- Minor adjudged/remains ward of the court in charge of the probation officer and be on probation until _____
- Minor returned to/removed from custody of _____ /Parent(s)/Guardian(s).
- Minor placed in custody of _____
- County to pay authorized maintenance/until A.F.D.C. is established.
- Transfer to _____ County.
- Minor committed to _____
- Minor detained in Juvenile Hall pending _____
- Court reserves right to set restitution.
- Pay restitution in amount of \$ _____
- Father/Mother reimburse Fresno County \$ _____ per day/month for _____
- Continued to 3-2-78 @ 11 AM maintenance for probation of 0-1-78 @ 21

OTHER ORDERS:

CONDITIONS OF PROBATION:

- Obey and respect authority of _____ parents.
- Obey all laws.
- Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
- Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
- Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.
- Shall not use or possess any paint, glue or other substance which could be used as an inhalant to produce intoxication.
- Remain on house arrest/ _____ curfew until probation officer modifies or _____
- Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
- Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION:

ADDITIONAL/CONTINUED HEARINGS:

Dated: Fresno, California: 2/23/78

[Signature]
Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

[Signature]
Judge of the Superior Court

W/O - Without J.H. -- Juvenile Hall F.O.C. -- Further Order of Court C.Y.A. -- California Youth Authority
 S.S. - Suspended P.O. -- Probation Officer J.W.P. -- Juvenile Hall Work Program C.K.W.S. -- C.K. Wakefield School 601/602

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Minor (Pink)

Form for Use of County Clerk Only

FILED

FEB 22 1978

(602) "B" 2/14/78 PETITION:
VC 10851(2/8/78) FELONY (MV Lic 429 DAY)

A COPY OF THIS ORDER WAS SERVED
UPON THE MINOR IN OPEN COURT.

GALEN LARSON, Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT

Minor Awaiting
Confirm. Hrg. on
(2/9/78) Subst. &
(2/10/78) Hrg. Pet'ns
DATE: 2/21/78 DEPT: 8(2/23/78)
ACTION NO. 46742-B FILED: 2/14/78

IN RE: BILLY BOB BROWN

A minor born: 4/9/63 (TBD)
PRESENT:

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

<u>JAY M. CARTER</u>	Judge	<input checked="" type="checkbox"/>	MINOR	<input checked="" type="checkbox"/>	FATHER/MOTHER
<u>W. F. MURPHY</u>	Referee	<input checked="" type="checkbox"/>	D.P.O.	<input checked="" type="checkbox"/>	<u>M. BRUNER</u>
<u>R. FLEMING</u>	Clerk	<input checked="" type="checkbox"/>	D.P.O.	<input checked="" type="checkbox"/>	<u>D. GRAMARY</u>
	Reporter	<input checked="" type="checkbox"/>	D.D.A.	<input checked="" type="checkbox"/>	<u>G. HOFF</u>
	Balliff		OTHER:		

THE COURT:

- Advised minor of rights to counsel, against self-incrimination, and to confrontation and cross-examination of persons examined.
- Advised persons present of reason minor was placed in custody.
- Advised persons present of nature of juvenile court proceedings.
- Read petition to persons present.
- Appointed JOHN KODSINS Attorney to represent minor (485-6110) FOR 2/14/78 FILED HAH PETITIONS
- Minor waived right to Counsel (with concurrence of parent)
- Other

- Appointed Public Defender FOR ARRAIGNMENT to represent minor ONLY ON 2/14/78
- Accepted minor's admission to petition after minor waived his right to a jurisdictional hearing and admitted the petition with consent of counsel after waiving his rights against self-incrimination and confrontation by and cross-examination of witnesses.
- Heard relevant evidence as offered by the minor, his parent(s), or guardian(s) and the Probation Officer.
- Other DENIAL

FINDINGS:

- Notice of hearing was duly given.
- Minor is a person described in Section 600, 601, 602 or _____ of the Welfare and Institutions Code.
- The minor should be released pending adjudication/disposition hearing.
- It is necessary to place the minor outside his home pending hearing.
- Other _____
- The allegations of petition/as amended found true as to count(s) _____
- Count(s) _____ dismissed.

- Continued detention of said minor is necessary for the reason that:
 - The minor has violated an order of the Juvenile Court.
 - The minor has escaped from a commitment of the Juvenile Court.
 - It is a matter of immediate and urgent necessity for the protection of such minor or the person or property of another. The minor is likely to flee the jurisdiction of the court.

MINOR DETAINED 2/14/78 ON SUBSEQUENT 2/14/78 & 2/10/78 HAH PETITIONS

IT IS HEREBY ORDERED:

- The minor is released to parent(s) _____ pending adjudication/disposition hearing under the following conditions:
 - obey parents
 - attend school regularly and obey school regulations
 - be on house arrest (_____ curfew) except to attend school or work
 - obey all laws
 - not to associate with _____

- The minor is detained in Fresno County Juvenile Hall pending CONFIRMATION ON 2/23/78 @ HAH
- The minor is released in charge of the Probation Officer to be placed/remain in a licensed foster home pending adjudication hearing.

Warrant Dated _____ is recalled.

CONFIRMATION HEARING SET FOR 2/23/78 AT HAH SAME DATE/TIME AS SUBSEQUENT HAH PETITIONS

Dated: Fresno, California: 2/21/78

Jay M. Carter
Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Dated: Fresno, California: _____

Judge of the Superior Court

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Minor (Pink)

10851 F

FILED
S. for Use of County Clerk Only

FEB 21 1978

GALEN LARSON, Clerk

CLK-6013.00 E03-72 R05773

DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN
4-9-62

DATE: 2-17-78 DEPT: 8
ACTION NO. 46792-B FILED: 2-14-78

A minor born:

PRESENT:

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

<u>Ch. H. Sanderson</u> Judge	<input checked="" type="checkbox"/> MINOR	<input checked="" type="checkbox"/> FATHER/MOTHER
<u>S. W. Brown</u> Referee	<input checked="" type="checkbox"/> D.P.O.	<u>D. Edwards</u>
_____ Clerk	_____ D.P.D.	_____
_____ Reporter	_____ D.P.A.	<u>F. Logan</u>
_____ Balliff	<input checked="" type="checkbox"/> OTHER: <u>John Karsinski, David [unclear]</u>	_____

THE COURT:

Advised minor of rights to counsel, against self-incrimination, and to confrontation and cross-examination of persons examined.

Advised persons present of reason minor was placed in custody.

Advised persons present of nature of juvenile court proceedings.

Read petition to persons present.

Appointed District Attorney _____ to represent minor.

Minor waived right to Counsel (with concurrence of parent).

Other _____

Appointed Public Defender _____ to represent minor and/or parent(s)

Accepted minor's admission to petition after minor waived his right to a jurisdictional hearing and admitted the petition with consent of counsel after waiving his rights against self-incrimination and confrontation, by and cross-examination of witnesses.

Heard relevant evidence as offered by the minor, his parent(s), or guardian(s) and the Probation Officer.

Other _____

FINDINGS:

Notice of hearing was duly given.

Minor is a person described in Section 600, 601, 602 or _____ of the Welfare and Institutions Code.

The minor should be released pending adjudication/disposition hearing.

It is necessary to place the minor outside his home pending hearing.

Other _____

The allegations of petition/as amended found true as to count(s) _____

Count(s) _____ dismissed.

Continued detention of said minor is necessary for the reason that:

The minor has violated an order of the Juvenile Court.

The minor has escaped from a commitment of the Juvenile Court.

It is a matter of immediate and urgent necessity for the protection of such minor or the person or property of another.

The minor is likely to flee the jurisdiction of the court.

IT IS HEREBY ORDERED

Continued at Request of Mother

The minor is released to parent(s) _____ pending adjudication/disposition hearing under the following conditions:

obey parents

attend school regularly and obey school regulations

be on house arrest (_____ curfew) except to attend school or work

obey all laws

not to associate with _____

The minor is detained in Fresno County Juvenile Hall _____ pending adjudication/disposition hearing.

The minor is released in charge of the Probation Officer to be placed/remain in a licensed foster home _____ pending adjudication hearing.

Adjudication (disposition) hearing set for 2-21-78 at 1:30 PM

Warrant Dated _____ is recalled.

Dated: Fresno, California: 2-17-78

[Signature]
Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Dated: Fresno, California: _____

Judge of the Superior Court

A COPY OF THIS ORDER SHALL BE SERVED UPON THE MINOR IN COURT.

Distribution: 4

1. County Clerk's File (White)
2. Clerk's Minutes (Buff)
3. Probation Office File (Green)
4. Minor (Pink)

PC 459 F
PC 458 M
PC 415 M
PC 187 E
PC 207 F
PC 209 B
PC 211 E
181
VC 108 JIF

FILED
FEB 1 1978
CLERK

CLK-6013.00 E03-2-10-78
D. J. Julian

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT**

IN RE: BILLY BOB BROWN TH

DATE: 2/14/78 DEPT: 8
ACTION NO. 46742-A FILED: 2/10/78

A minor born: 4/9/62
PRESENT:

PRESENT BEFORE THE COURT:

WITNESSES SWORN:

<u>W. H. Anderson</u>	Judge	<u>[]</u>	MINOR,	<u>[]</u>	FATHER/MOTHER
<u>S. W. Browne</u>	Referee	<u>[]</u>	D.P.O.	<u>[]</u>	
<u>M. B. Hershman</u>	Clerk	<u>[]</u>	D.P.O.	<u>[]</u>	<u>G. K. []</u>
	Reporter	<u>[]</u>	D.D.A.	<u>[]</u>	
	Bailiff	<u>[]</u>	OTHER:	<u>[]</u>	

Mother
M. Baucher
G. Hoff

THE COURT:

Video Advised minor of rights to counsel, against self-incrimination, and to confrontation and cross-examination of persons examined.
 Advised persons present of reason minor was placed in custody.
 Advised persons present of nature of juvenile court proceedings.
 Read petition to persons present.
 Appointed District Attorney to represent minor.
 Minor waived right to Counsel (with concurrence of parent).
 Other _____

[] Appointed Public Defender [] to represent minor and/or parents for the hearing only
 Accepted minor's admission to petition after minor waived his right to a jurisdictional hearing and admitted the petition with consent of counsel after waiving his rights against self-incrimination and confrontation by and cross-examination of witnesses.
 Heard relevant evidence as offered by the minor, his parent(s), or guardian(s) and the Probation Officer.
 Other Should stay John K. Kopinski

FINDINGS:

Notice of hearing was duly given.
 Minor is a person described in Section 600, 601, 602 or _____ of the Welfare and Institutions Code.
 The minor should be released pending adjudication/disposition hearing.
 It is necessary to place the minor outside his home pending hearing.
 Other _____
 The allegations of petition/as amended, found true as to count(s) _____
 Count(s) _____ dismissed.

Continued detention of said minor is necessary for the reason that:
 The minor has violated an order of the Juvenile Court.
 The minor has escaped from a commitment of the Juvenile Court.
 It is a matter of immediate and urgent necessity for the protection of such minor or the person or property of another.
 The minor is likely to flee the jurisdiction of the court.

IT IS HEREBY ORDERED:

The minor is released to parent(s) _____ pending adjudication/disposition hearing under the following conditions:
 obey parents
 attend school regularly and obey school regulations
 be on house arrest (_____ curfew) except to attend school or work
 obey all laws
 not to associate with _____
 Warrant Dated _____ is recalled.

The minor is detained in Fresno County Juvenile Hall _____ pending adjudication/disposition hearing.
 The minor is released in charge of the Probation Officer to be placed/remain in a licensed foster home _____ pending adjudication hearing.

Adjudication (disposition) hearing set for 2-22-78
 at 11 AM

Dated: Fresno, California: 2-14-78

[Signature]
 Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED:

Dated: Fresno, California: _____

Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

TRACY

FILED

FEB 27 1978

GAILIN LARSON, CLERK
 A MINOR *Clara A. Brown*
 CASE NUMBER: 48742-A DEPUTY

NOTICE OF HEARING (JUVENILE)

THE PEOPLE OF THE STATE OF CALIFORNIA:

1. To

Name and address:
 Bill Brown
 427 W. Minarets, #d
 Pinedale, CA. 93650

Name and address:
 Lorraine Brown
 427 W. Minarets, #D
 Pinedale, Ca. 93650

You are hereby cited and required to appear at the hearing on the attached petition as follows

- a. Date: 2-23-78 Time: 11AM Dept. Div. Room No.:
- b. Address of court
 - (1) Juvenile Hall, 744 South Tenth Street, Fresno, California.
 - (2) Fresno County Courthouse, 1100 Van Ness Avenue, Fresno, California.
 - (3) Other (Specify):

3. This proceeding has been instituted under the following Welfare and Institutions Code Section.

- a. 300(a) 300(b) 300(c) 300(d)
- b. 601(a) 601(b)
- c. 602

4. A parent or guardian may be required to participate in a counseling program with the above-named minor.

Dated: 2/14/78 Clerk of the Court, by Joyce Chance Deputy

NOTICE TO THE PERSON SERVED

YOU ARE ENTITLED TO HAVE AN ATTORNEY PRESENT AT THE HEARING ON THE PETITION. IF YOU ARE INDIGENT, CANNOT AFFORD AN ATTORNEY AND YOU DESIRE TO BE REPRESENTED BY AN ATTORNEY, ONE WILL BE APPOINTED AT THE TIME OF THE HEARING.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy of the foregoing was mailed certified mail with request for return receipt first class, postage prepaid, in a sealed envelope addressed as shown above, and that the mailing of the foregoing and execution of this certificate occurred at Fresno, California,

(Date): _____ Clerk of the Court, by _____ Deputy

See reverse side for proof of personal service.

The singular includes the plural. A copy of the petition must be attached to all copies of this notice which are served.

PROOF OF SERVICE (JUVENILE)

1. I served the *minor & mother*

- a. Notice of Hearing (Juvenile), with a copy of the petition attached.
- b. Citation (Juvenile), with a copy of the petition attached.

c. On (Name of person served): *Billy B Brown & ^{mother} Lorraine Brown*

(1) By delivery at home business Juvenile Court

(a) Date of: *2-14-78*

(b) Time of: *3:55*

(c) Address: 744 South Tenth Street, Fresno, California Other (Specify):

d. On (Name of person served):

(1) By delivery at home business Juvenile Court

(a) Date of:

(b) Time of:

(c) Address: 744 South Tenth Street, Fresno, California Other (Specify):

e. On (Name of person served):

(1) By delivery at home business Juvenile Court

(a) Date of:

(b) Time of:

(c) Address: 744 South Tenth Street, Fresno, California Other (Specify):

2. Manner of service: Personal service. By personally delivering copies. (CCP 415.10)

3. At the time of service I was at least 18 years of age and not a party to this action.

4. I received the notice or citation for service on (Date):

5. Person serving (Check one only.)

- a. Not a registered California process server.
- b. Registered California process server.
- c. Employee or independent contractor of a registered California process server.
- d. Exempt from registration under B&P Code 22350(b).
- e. California sheriff, marshal or constable.

f. Name, address, telephone number and, if applicable, county of registration and number:

(For California sheriff, marshal or constable use only)
I certify that the foregoing is true and correct and that this certificate is executed on (Date): *2-14-78*
at (Place): *Fresno, California.*

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on (Date):
at (Place):
California.

Marybelle Boender
(Signature)

(Signature)

John Kopsinis Asst Atty

FEB 14 1 07 PM '78

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS JUVENILE COURT

In the Matter of the Minor:

BILLY BOB BROWN

Name

427 West Minarets, #D

Address

Pinedale, California 93650

City and State

Age 16 1/2 Date of Birth April 9, 1963

Action No. 46742-B
D.A. # 78-1885-

PETITION

The undersigned petitioner is informed, believes and therefore alleges:

The above named person is (or was, as of the date of the commission of the alleged act) under eighteen (18) years of age:

This person comes within the provisions of Section(s) 602 of the Welfare and Institutions Code, as follows:

Said minor, BILLY BOB BROWN, on or about February 8, 1978, in the County of Fresno, State of California, did willfully and unlawfully drive and take a certain vehicle, to wit, a 1971 white/maroon Cougar, License No. 429 DAY, then and there the person's property of TERESA GRAYBEAL, without the consent of and with intent to deprive the said owner of title to and possession of said vehicle, thereby violating Section 10851, a felony, of the Penal Code of California.

[Signature]
MILWAUKEE DISTRICT ATTORNEY

Bill Brown Lorraine Brown

Father Same as minor Mother Same as minor Guardian/Relative

Street Address

City/State/Zip Code

The above named person ~~was detained on~~ is presently detained, (Date) (Time)

(over)

~~XXXXXXXXXX IS DISSENTING~~

Petitioner therefore requests a hearing be calendared in the above matter, and that said minor be dealt with according to law.

I declare under penalty of perjury that the foregoing is true and correct according to my information and belief and that this declaration was executed at Fresno, California on February 14, 1978

WILLIAM A. SMITH

WILLIAM A. SMITH

WILLIAM A. SMITH, DISTRICT ATTORNEY

By

Deputy District Attorney

Gordon Panzak

kt

... of the ... of ...
... possession of ...
... without the consent of ...
... and ...
... of ...
... said ...

Writs and ...

This person comes within the provisions of section ... of the

and:

The above named person is ... of the ... of the ...
The ... of ...

Case No.	1978-1106
Case Name	WILLIAM A. SMITH
Case Address	...
Case City	FRESNO
Case State	CALIFORNIA
Case County	FRESNO
Case District	...

RECEIVED
FEB 15 1978
CLERK OF COURT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

Handwritten notes and signatures in the bottom left corner.

FEB 15 1978

FILED

FEB 9 1978

CAROL LARSON, Clerk

Johanna Kopschall, District Attorney

*Adm for 2-17-78
1:30*

Alvin J. Johnson

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS JUVENILE COURT

In the Matter of the Minor:

BILLY BOB BROWN

Name

427 West Minarets, #D

Address

Pinedale, California 93650

City and State

Age 15 Date of Birth April 9, 1962

Action No. * 46742
D.A. # 78-1885
PETITION

The undersigned petitioner is informed, believes and therefore alleges:

The above named person is (or was, as of the date of the commission of the alleged act) under eighteen (18) years of age:

This person comes within the provisions of Section(s) 602 of the Welfare and Institutions Code, as follows:

Said minor, BILLY BOB BROWN, on or about January 25, 1978, in the County of Fresno, State of California, willfully and unlawfully entered the Pinedale Boys Club, located at 343 West Minarets, Pinedale, with the intent to commit the crime of theft, thereby violating Section 459, a felony, of the Penal Code of California; and

COUNT TWO: Said minor, on or about January 25, 1978, in the County of Fresno, State of California, unlawfully took the property of the Pinedale Boys Club, consisting of nicknacks, of the value of less than Two Hundred Dollars (\$200.00), thereby violating Section 488, a misdemeanor, of the Penal Code of California; and

COUNT THREE: Said minor, on or about January 27, 1978, in the County of Fresno, State of California, did willfully and unlawfully fight in a public place, challenge another person in a public place to fight, maliciously disturb another person by a loud and unreasonable noise, and use offensive words in a public place which were inherently likely to produce a violent reaction, thereby violating Section 415, a misdemeanor, of the Penal Code of California.

Willis Brown

Lorraine Brown

Father

Mother

Guardian/Relative

Unknown

Same as minor

Street Address

City/State/Zip Code

The above named person was detained on January 27, 1978, at 9:00 p.m., and was released on January 28, 1978. (Date) (Time)

(over)

Petitioner therefore requests a hearing be calendared in the above matter, and that said minor be dealt with according to law.

I declare under penalty of perjury that the foregoing is true and correct according to my information and belief and that this declaration was executed at Fresno, California on February 7, 1978

WILLIAM A. SMITH, DISTRICT ATTORNEY

Gordon Panzak
Deputy District Attorney

Gordon Panzak

kt
I hereby certify that the foregoing is a true and correct copy of the original as the same appears in the files of the District Attorney's Office at Fresno, California.

WILLIAM A. SMITH
DISTRICT ATTORNEY
FRESNO, CALIFORNIA

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
JUVENILE COURT
744 SOUTH TENTH STREET
FRESNO, CALIFORNIA 93702

FC. NOT USE ONLY

FILED

FEB 9 1978

CELIA LARSON, Clerk
Celia Larson

CLK 5000:00 E08-70 R11-77

A MINOR.

CASE NUMBER: 46742

NOTICE OF HEARING (JUVENILE)

IN THE MATTER OF:

Name and address:

BILLY BOB BROWN
427 WEST MINARETS, #D
PINEDALE, CALIF. 93650

THE PEOPLE OF THE STATE OF CALIFORNIA:

1. To

Name and address:

LORRAINE BROWN
427 WEST MINARETS #D
PINEDALE, CALIF 93650

Name and address:

You are hereby cited and required to appear at the hearing on the attached petition as follows

a. Date: 2-17-78 Time: 1:30 Dept. Div. Room No.:

b. Address of court

- (1) Juvenile Hall, 744 South Tenth Street, Fresno, California.
- (2) Fresno County Courthouse, 1100 Van Ness Avenue, Fresno, California.
- (3) Other (Specify):

3. This proceeding has been instituted under the following Welfare and Institutions Code Section

- a. 300(a) 300(b) 300(c) 300(d)
- b. 601(a) 601(b)
- c. 602

4. A parent or guardian may be required to participate in a counseling program with the above named minor.

Dated: 2-8-78

Clerk of the Court, by

Emily L. Holman
EMILY L. HOLMAN Deputy

NOTICE TO THE PERSON SERVED

YOU ARE ENTITLED TO HAVE AN ATTORNEY PRESENT AT THE HEARING ON THE PETITION. IF YOU ARE INDIGENT, CANNOT AFFORD AN ATTORNEY AND YOU DESIRE TO BE REPRESENTED BY AN ATTORNEY, ONE WILL BE APPOINTED AT THE TIME OF THE HEARING.

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy of the foregoing was mailed certified mail with request for return receipt first class, postage prepaid, in a sealed envelope addressed as shown above, and that the mailing of the foregoing and execution of this certificate occurred at Fresno, California,

(Date): 2-8-78

Clerk of the Court, by

Emily L. Holman
EMILY L. HOLMAN Deputy

See reverse side for proof of personal service.

The singular includes the plural. A copy of the petition must be attached to all copies of this notice which are served.

Tracy

FILED

John Koprince, Asst. Atty

FEB 10 4 17 PM '78

Jane Chance
CLERK
DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

SITTING AS JUVENILE COURT

In the Matter of the Minor:

BILLY BOB BROWN
Name

427 West Minarets, #D
Address

Pinedale, California 93650
City and State

Age 15 Date of Birth April 9, 1962

Action No. 46742-A
D.A. No. 78-1885
PETITION

The undersigned petitioner is informed, believes and therefore alleges:
The above named person is (or was, as of the date of the commission of the alleged act) under eighteen (18) years of age:
This person comes within the provisions of Section(s) 602 of the Welfare and Institutions Code, as follows:

As attached and is to be considered a part of this petition.

WILLIAM A. SMITH DISTRICT ATTORNEY
[Signature]

<u>Bill Brown</u>	<u>Lorraine Brown</u>	
<u>Father</u>	<u>Mother</u>	<u>Guardian/Relative</u>
<u>Same as minor</u>	<u>Same as minor</u>	
<u>Street Address</u>		
<u>City/State/Zip Code</u>		

The above named person was detained on February 9, 1978 at 6:00 a.m.
(Date) (Time)

(over)

to be held on _____ at _____
_____ 1978

Petitioner therefore requests a hearing be calendared in the above matter, and that said minor be dealt with according to law.

I declare under penalty of perjury that the foregoing is true and correct according to my information and belief and that this declaration was executed at Fresno, California on February 10, 1978

BITT BROWN

ROBERTS BROWN

WILLIAM A. SMITH, DISTRICT ATTORNEY

By Gordon Panzak
Deputy District Attorney
Gordon Panzak

is attached and is to be considered a part of this petition.

Where and conditions of confinement are shown:

This petition comes within the purview of Section 861.5 of the California Penal Code and the provisions of the California Constitution relating to habeas corpus and the writ of habeas corpus and the provisions of the California Constitution relating to habeas corpus and the writ of habeas corpus.

Date of Birth	02/11/1978
City and State	Fresno, California 93720
Address	222 West Mineral, #D
Name	BITT BROWN
In the Matter of the Person	

PETITION
D.A. NO. 18-1562
Action No. 82115-V

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

[Handwritten signature]

FILED - FEB 10 1978

[Handwritten notes]

BILLY BOB BROWN
DOB: April 9, 1962
COURT NO. *46742

Said minor, Billy Bob Brown, on or about February 8, 1978, in the County of Fresno, State of California, did willfully, unlawfully, and with malice aforethought murder Teresa Graybeal, a human being, thereby violating Section 187, a felony, of the Penal Code of California;

It is further alleged that in the commission of the above offense said minor, Billy Bob Brown, used a firearm, to wit: a .25 caliber hand gun, said use not being an element of the above offense within the meaning of Penal Code Section 12022.5; and

COUNT TWO: Said minor, on or about February 8, 1978, in the County of Fresno, State of California, did willfully, unlawfully, and forcibly steal, take, and arrest Teresa Graybeal in the County of Stanislaus, State of California, and did take the said Teresa Graybeal into another part of Fresno County, thereby violating Section 207, a felony, of the Penal Code of California;

It is further alleged that in the commission of the above offense said minor, Billy Bob Brown, used a firearm, to wit: a .25 caliber hand gun, said use not being an element of the above offense within the meaning of Penal Code Section 12022.5; and

COUNT THREE: Said minor, on or about February 8, 1978, in the County of Fresno, State of California, did willfully and unlawfully kidnap and carry away Teresa Graybeal to commit robbery and did aid and abet such act, thereby violating Section 209, a felony, of the Penal Code of California; and

COUNT FOUR: Said minor, on or about February 8, 1978, in the County of Fresno, State of California, did willfully, unlawfully, and by means of force and fear take personal property, to wit, a watch and cash, from the person, possession, and immediate presence of Teresa Graybeal, thereby violating Section 211, a felony, of the Penal Code of California.

Distribution: 4

- 1. County Clerk's File (White)
- 2. Clerk's Minutes (Buff)
- 3. Probation Office File (Green)
- 4. Probation Officer (Pink)

A COPY OF THIS ORDER WAS STAMPED UPON THE MINOR IN OPEN COURT

FILED
Space Below for Use of County Clerk Only

OCT 31 1977

GALEN LARSON, Clerk

By: *[Signature]* DEPUTY
CLK 6011.00 508-78 R 64-74

[] Mailing Required

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS THE JUVENILE COURT

IN RE: BILLY BOB BROWN
A minor born: 4-9-62

DATE: 10-27-77 DEPT.: 8
ACTION NO. 46742 FILED: 8-11-77

PRESENT BEFORE THE COURT: WITNESSES SWORN:

<u>[Signature]</u> Judge	<input checked="" type="checkbox"/> MINOR,	<u>[Signature]</u> FATHER/MOTHER	_____
<u>[Signature]</u> Referee	<u>[Signature]</u> D.P.O.	<u>[Signature]</u> D.P.O.	_____
<u>[Signature]</u> Clerk	<u>[Signature]</u> D.P.O.	<u>[Signature]</u> D.P.O.	_____
_____ Reporter	_____ D.D.A.	<u>[Signature]</u> D.D.A.	_____
_____ Bailiff	_____ OTHER:	_____	_____

THE COURT Maximilian de la Cruz

Advised minor of legal rights to counsel, against self incrimination and to confront and cross examine witnesses.
 Read and explained petition.
 Advised person(s) present of nature, procedure and consequences of hearing.

Determined residence and age of minor.
 Accepted minor's admission of truth of petition after minor, audibly, in open court waived his right against self-incrimination and to confrontation by witnesses.
 Appointed Counsel.

FINDINGS:

Notice of Hearing was duly served/waived.
 Affirmation(s) of petition/as amended found true/as to count(s) _____
 Court(s) _____ dismissed.

Minor is _____ a person described by Section 601/602.
 Minor is a person unfit for Juvenile Court.
 Legal residence is Fresno _____ County.
 Time of hearing and notice was duly waived.

THE COURT HAVING READ AND CONSIDERED THE SOCIAL STUDY MADE BY THE PROBATION OFFICER:

Continued need appears for the court's protective care of said minor.
 The welfare of the minor requires his custody be taken from his Parent(s)/Guardian(s). Mother
 Minor has been tried on probation and has failed to reform.

IT IS HEREBY ORDERED:

Minor placed on six months probation w/o wardship.
 Minor adjudged/remain ward of the court in charge of the probation officer and be on probation until F.O.C.
 Minor returned to/removed from custody of Mother /Parent(s)/Guardian(s).
 Minor placed in custody of _____
 County to pay authorized maintenance/until A.F.D.C. is established.

Transfer to _____ County.
 Minor committed to _____
 Minor detained in Juvenile Hall pending _____
 Court reserves right to set restitution.
 Pay restitution in amount of \$ _____
 Father/Mother reimburse Fresno County \$ _____ per day/month for _____ maintenance.
 Continued to _____ for disposition.

OTHER ORDERS: _____

CONDITIONS OF PROBATION: to Mother

Obey and respect authority of his Mother parent(s).
 Obey all laws.
 Shall not associate with anyone disapproved of by _____ parent(s), probation officer or with: _____
 Obey all orders of the probation officer and the probation officer is authorized to set such other conditions of probation as are necessary for the rehabilitation of the minor.
 Shall not possess, use or consume any substance, drug, intoxicant or article forbidden by law.

Shall not use or possess any paint, glue or other substance which could be used as an inhalent to produce intoxication.
 Remain on house arrest/ _____ curfew until probation officer modifies or _____
 Minor shall submit to a search of his person and/or property, including any vehicle, under his control at any time, with or without a warrant, by any law enforcement or probation officer or school official.
 Except as modified, all former Court orders and conditions of probation remain in full force and effect.

ADDITIONAL CONDITIONS OF PROBATION: Continue Counseling
Mother to write first of other district papers

ADDITIONAL/CONTINUED HEARINGS: _____

Dated: Fresno, California: 10-27-77

 Judge/Referee of the Superior Court

THE FOREGOING ORDER IS HEREBY APPROVED: _____
Judge of the Superior Court

W/O -- Without J.H. -- Juvenile Hall F.O.C. -- Further Order of Court C.Y.A. -- California Youth Authority
 S.S. -- Suspended P.O. -- Probation Officer W.P. -- Juvenile Hall Work Program C.K.W.S. -- C.K. Wakefield School 601/602

FILED

OCT 31 1977

GALEN LARSON, Clerk
By G. Carls DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS JUVENILE COURT

In the Matter of:

BILLY BOB BROWN

Minor.

REPORT AND RECOMMENDATION
OF THE PROBATION OFFICER

Action No. 46742 Dept. 8
112528

TO THE ABOVE ENTITLED HONORABLE COURT:

Your Probation Officer, undersigned, respectfully submits the following report and recommendation in the above entitled matter:

Birthdate: April 9, 1962

Age: 15 years, 6 months

PETITION: (filed: August 11, 1977; Count One dismissed September 15, 1977; Counts Two and Three dismissed October 6, 1977)

COUNT FOUR: Said minor, on or about July 11, 1977, in the County of Fresno, State of California, unlawfully took the property of Michael Gaines, consisting of a bicycle, of the value of less than \$200.00, thereby violating Section 488, a misdemeanor, of the Penal Code of California.

COMPLAINANT'S STATEMENT:

Attached hereto and to be considered a part of this report is the Fresno County Sheriff's Department Crime Report and Juvenile Investigation Report, Case No. 77-8840.

TEMPORARY CUSTODY:

The minor was booked in to Juvenile Hall on July 17, 1977 at 0215 hours and was released the same date at 1810 hours.

DAYS IN DETENTION:

None.

LEGAL REPRESENTATION:

Public Defender.

SOCIAL REPORT

MINOR'S NAME: **BILLY BOB BROWN**

COURT NO. **46742/112528**

FATHER: **Willis Brown**

ADDRESS: **272 West Pinedale Street** PHONE: **435-0598**
Pinedale, California

BORN: **3-14-31**

PLACE OF BIRTH: **St. Joe, Arkansas**

OCCUPATION: **unemployed heavy equipment operator** SS NO.:

MOTHER: **Lorraine Brown**

ADDRESS: **427 West Minarets** PHONE: **439-1671**
Apartment "D"
Pinedale, California

BORN: **12-5-30**

PLACE OF BIRTH: **Fresno, California**

OCCUPATION: **disabled** SS NO.:

MARRIAGE DATE: **1959**

PLACE: **Fresno, California**

~~DIVORCED-DESERTED-SEPARATED~~: DATE: **1977**

PLACE: **Fresno, California**

LEGAL CUSTODY OF CHILD:

COUNTY AND STATE WHERE GRANTED:

STEP-FATHER:

ADDRESS:

PHONE:

BORN:

PLACE OF BIRTH:

OCCUPATION:

SS NO.:

MARRIAGE DATE:

PLACE:

STEP-MOTHER:

ADDRESS:

PHONE:

BORN:

PLACE OF BIRTH:

OCCUPATION:

SS NO.:

MARRIAGE DATE:

PLACE:

OTHER CHILDREN:

SEX: AGE: WHERE RESIDING:

MARRIED:

Henry Jeff, Jr.
Lucinda Jaramillo
Jimmy Jeff
Donna Troxell
Mary Jeff
Juanita Brown
Bobby Brown
Danita Brown

M 29 Fresno, California
F 27 Pinedale, California
M Died in 1972 at age twenty
F 22 Pinedale, California
F Died in 1957 shortly after birth
F 17 with the mother
M 16 "
F 13 "

Yes
Separated
Yes
No
"
"

1. FAMILY HISTORY:

The minor resides with his natural mother, two sisters and a brother in an apartment which the family is renting in the Pinedale area.

Father:

The minor's natural father, Willis Brown, is reported to have achieved an eleventh-grade level of education, has been employed as a heavy equipment operator and was recently "laid off" from said employment and is therefore collecting unemployment insurance benefits. The natural mother reports that Mr. Brown has an arrest record as a juvenile and as an adult, he is reported to have served time in prison for stealing a car and for an escape attempt; this was during 1955, and Mr. Brown was committed to the El Reno Prison in Oklahoma for eighteen months for said offenses. Further, the natural mother reports that Mr. Brown has been incarcerated in the Fresno County Jail for various alcohol related offenses. In 1975, Mr. Brown was charged with "wife beating", but Mrs. Brown subsequently dropped the charges against her husband. Mrs. Brown indicated the natural father is "an alcoholic" but is currently in good physical condition.

Mother:

The minor's natural mother, Lorraine Brown, nee Rhoan, achieved an eighth-grade level of education, has been previously employed as a shirt presser and waitress, and last held gainful employment in 1958. The natural mother reports no arrest record as a juvenile or an adult and indicates that she has been utilizing mental health services for five years. In 1961, the natural mother sustained a back injury as a result of a "spinal". Mrs. Brown reports to have had seven "nervous breakdowns" since 1973 and further related that the bulk of said breakdowns were a result of difficulties experienced with the natural father. Medicine currently being prescribed for the natural mother's utilization is Etrafon, an anti-depressant, Valium, a tranquillizer, and Noludar, a "sleeping pill". The natural mother reports to being treated by her psychiatrist twice a month. It was reported by Mrs. Brown that she has no hobbies or interests because there are "too many family problems".

NOTE



1. FAMILY HISTORY:

The minor resides with his natural mother, two sisters and a brother in an apartment which the family is renting in the Pinedale area.

Father:

The minor's natural father, Willis Brown, is reported to have achieved an eleventh-grade level of education, has been employed as a heavy equipment operator and was recently "laid off" from said employment and is therefore collecting unemployment insurance benefits. The natural mother reports that Mr. Brown has an arrest record as a juvenile and as an adult, he is reported to have served time in prison for stealing a car and for an escape attempt; this was during 1955, and Mr. Brown was committed to the El Reno Prison in Oklahoma for eighteen months for said offenses. Further, the natural mother reports that Mr. Brown has been incarcerated in the Fresno County Jail for various alcohol related offenses. In 1975, Mr. Brown was charged with "wife beating", but Mrs. Brown subsequently dropped the charges against her husband. Mrs. Brown indicated the natural father is "an alcoholic" but is currently in good physical condition.

Mother:

The minor's natural mother, Lorraine Brown, nee Rhoan, achieved an eighth-grade level of education, has been previously employed as a shirt presser and waitress, and last held gainful employment in 1958. The natural mother reports no arrest record as a juvenile or an adult and indicates that she has been utilizing mental health services for five years. In 1961, the natural mother sustained a back injury as a result of a "spinal". Mrs. Brown reports to have had seven "nervous breakdowns" since 1973 and further related that the bulk of said breakdowns were a result of difficulties experienced with the natural father. Medicine currently being prescribed for the natural mother's utilization is Etrafon, an anti-depressant, Valium, a tranquillizer, and Noludar, a "sleeping pill". The natural mother reports to being treated by her psychiatrist twice a month. It was reported by Mrs. Brown that she has no hobbies or interests because there are "too many family problems".

Marriage:

The minor's natural parents were married in 1959 in Fresno, California and were divorced in 1977, also in Fresno, California. Four children were the issue of this union. Further, the natural mother indicated that she and Mr. Brown have been separated approximately four years, and he has provided her with no financial support during this time. It is reported that Mr. Brown is still married to his first wife, Arvella, who is believed to be residing in Washington. The natural mother reported that her lawyer informed her that she could have obtained an annulment due to this factor.

Other Children:

Two of the minor's half-siblings are deceased. Henry Jeff, Jr., age twenty-nine, is married and is a financial consultant in Fresno. Mrs. Brown reports she has never experienced any difficulties with Henry; he graduated from Fresno City College, is currently employed and helps the natural mother with the discipline of the children remaining in the home. The natural mother reports to have experienced previous difficulties with Lucinda. Donna Troxell, age twenty-two, is married and currently employed at an insurance company. Juanita, age seventeen, Bobby, age sixteen, and Danita, age thirteen, reside in the mother's home and attend Gateway School. Bobby is currently on probation, supervised home detention, and is pending further Court hearings.

Home and Neighborhood:

The family resides in a small, three-bedroom apartment located in a high delinquency area of Pinedale, California. The home is unkempt in appearance, reported as being overcrowded and deemed inappropriate in order to meet the needs of the family. Mrs. Brown related that she is in the process of purchasing a large, three-bedroom home in the Selma area. The home is reported to be valued at \$27,000.00, and Mrs. Brown reported that the Indian Bureau will be paying her "closing costs" on said home. The natural mother conferred with her realtor in regard to this home in the presence of this officer, and it appeared that the final sale of the home will be forthcoming.

Family Activities:

None reported.

Community Agencies:

The family is known to the Mental Health Department, the Welfare Department, local law enforcement agencies and the Probation Department.

2. MINOR'S HISTORY:

Development and Health:

It was reported that the minor was delivered in a "breach" position but experienced no birth injury. The natural mother reports that until the minor was one year of age, he experienced painful bowel movements; Billy was treated at Valley Medical Center for said difficulty, but no illness or injury was discovered. At age two, the minor suffered a concussion which required that he be hospitalized for three days; he has suffered no repercussions from said injury. The minor is reported to have had the normal childhood diseases with no adverse effects. It was reported by Mrs. Brown that the minor has had an epidemic of warts for the past three years; the warts have been surgically burned off, but they continue to return. It is this officer's opinion that the minor is in need of treatment for this malady at the current time. The natural mother established an appointment for the minor with her psychiatrist, Dr. Colette. It was indicated by the natural mother that said minor has been treated by Dr. Colette previously and had been prescribed medication that helped to control the minor's behavior.

NOTE

Work and Activities:

It is reported that the minor does lawn work for a neighbor on a weekly basis. The minor was employed at the Fresno District Fair during October of 1977 for three days until such time as his mother forbade him to do so, as he had been missing school. It is reported by the minor that he attends the Boys Club in Pinedale on a regular basis and enjoys playing pool, ping pong and shuffleboard.

Personality:

During the interview with this officer, the minor appeared to be in a highly emotional state of mind. It should be noted that at the time of the interview, the minor had just been brought home by his half-brother, Henry Jeff,

Community Agencies:

The family is known to the Mental Health Department, the Welfare Department, local law enforcement agencies and the Probation Department.

2. MINOR'S HISTORY:

Development and Health:

It was reported that the minor was delivered in a "breach" position but experienced no birth injury. The natural mother reports that until the minor was one year of age, he experienced painful bowel movements; Billy was treated at Valley Medical Center for said difficulty, but no illness or injury was discovered. At age two, the minor suffered a concussion which required that he be hospitalized for three days; he has suffered no repercussions from said injury. The minor is reported to have had the normal childhood diseases with no adverse effects. It was reported by Mrs. Brown that the minor has had an epidemic of warts for the past three years; the warts have been surgically burned off, but they continue to return. It is this officer's opinion that the minor is in need of treatment for this malady at the current time. The natural mother established an appointment for the minor with her psychiatrist, Dr. Colette. It was indicated by the natural mother that said minor has been treated by Dr. Colette previously and had been prescribed medication that helped to control the minor's behavior.

Work and Activities:

It is reported that the minor does lawn work for a neighbor on a weekly basis. The minor was employed at the Fresno District Fair during October of 1977 for three days until such time as his mother forbade him to do so, as he had been missing school. It is reported by the minor that he attends the Boys Club in Pinedale on a regular basis and enjoys playing pool, ping pong and shuffleboard.

Personality:

During the interview with this officer, the minor appeared to be in a highly emotional state of mind. It should be noted that at the time of the interview, the minor had just been brought home by his half-brother, Henry Jeff,

as Billy had been suspended from Gateway School. It is reported that the minor had been verbally abusive to the school staff and was therefore suspended for the remainder of the school day. It is this officer's opinion that the minor has little impulse control with regard to his temper and is prone to "acting out" behavior.

School Record:

On October 21, 1977, this officer conferred with Mr. David Verdugo, counselor at Gateway School, with regard to the minor's school performance and attendance. Mr. Verdugo related that the minor was suspended from school on October 13, 1977 and was to return to classes at Gateway on October 17, 1977. Billy was suspended as a result of "bad behavior" and an abusive attitude toward teachers. It was reported that Billy exhibits "bad behavior" in the classroom setting, does not cooperate with teachers, leaves campus without permission and is a frequent truant. Mr. Verdugo indicated that although the minor "hasn't adjusted in the school program at all", he will be allowed to continue his enrollment at Gateway School.

Psychiatric/Psychological Reports:

None available. It is reported that the minor has been treated by Dr. Colette, psychiatrist.

Prior Record:

See attached.

Additional Offenses:

On December 20, 1975, the minor was cited to the Probation Department as the result of a malicious mischief charge; this matter was handled by the Intake Probation Officer with a reprimand and release. The minor was booked in to the Juvenile Hall facility on December 5, 1976 for a petty theft offense; he was released the same day, recited and referred to the supervising Probation Officer for disposition.

3. CO-PARTICIPANTS:

None.

4. MAINTENANCE/RESTITUTION:

Attached hereto and to be considered a part of this report is the natural mother's financial statement. According to the Responsible Relative Scale, the natural mother is not financially able to reimburse Fresno County for the cost of maintenance.

According to the Fresno County Sheriff's Department Crime Report No. 77-8840, the victim's bike was returned on July 25, 1977; therefore, restitution is not an issue in this matter.

5. ANALYSIS:

This is a fifteen-year-old minor making his first appearance before the Juvenile Court for petty theft. The minor was previously on informal probation for malicious mischief and petty theft, and said probation was dismissed on May 18, 1977 (six months). The natural mother reports that she and Mr. Brown were divorced in 1977 after having lived separately for four years. It was reported that during the time of the natural parents' separation, Mr. Brown provided the family with no means of financial support. The natural mother related that the natural father is currently unemployed and receiving unemployment insurance benefits and further, he has informed her that he will not pay child support payments as ordered at the time of the divorce. It was reported by Mrs. Brown that the natural father "drinks all day, goes out with all kinds of women - even if kids don't respect him". The natural mother displayed much anger and resentment toward Mr. Brown. She reports that he does not visit the children, but they visit him on an occasional basis. With reference to the disposition of this matter, the natural mother indicated that she believes the minor needs counseling and psychiatric treatment. Further, she related that she wants the minor to reside in the home and that her oldest son, Henry Jeff, Jr., will help Mrs. Brown in the disciplining of the minor. Mr. Jeff indicated that his place of employment is not far from Gateway School, and he would be able to "check on Billy at school a couple of times a week". Please refer to the "School Record" section of this report for further illumination of the minor's functioning. Also, Mr. Jeff related that he would "check" to see that the minor is not outside the home past 8:00 p.m. As was previously

mentioned in this report, the natural mother is in the process of purchasing a home in Selma with the assistance of the Indian Bureau. As Mr. Jeff "in-laws" reside in Selma, he will still be able to help Mrs. Brown in controlling the behavior of the minor if the family establishes residency there.

In discussing the offense with the minor, he indicated that the bicycle "was lying in a field and I needed a ride home". Billy related that if he were in the situation again, he "wouldn't do it" because "he'd get caught" and placed in Juvenile Hall. It is this officer's opinion that the minor has little impulse control and is prone towards "acting out" behavior. The natural mother related that Billy had been treated by Dr. Colette, a Fresno psychiatrist. She indicated that Dr. Colette prescribed medication for the minor and further, that the doctor believed that Billy was "an emotionally disturbed boy". Mrs. Brown secured an appointment for Billy with Dr. Colette on October 17, 1977; this officer was unable to contact the doctor in order to receive information regarding the minor's physical and emotional health. As was previously mentioned in this report, the minor is suffering from "warts"; this officer believes that treatment for same is necessary.

The minor's home environment appears to be somewhat volatile due to the emotional difficulties suffered by the natural mother. It is this officer's opinion that the minor needs a structured environment in order to promote his rehabilitation. This officer screened Billy's case with Mr. Jack Tracy of the Offender Counseling Utilizing Students Program on October 21, 1977. Mr. Tracy indicated that the minor was an appropriate subject for the program and further, that the minor's brother Bobby is currently on the O.C.U.S. Program. The O.C.U.S. Program provides contact with minors on a weekly basis on constitutes rather intensive supervision. Subsequent to the minor's dispositional hearing, Billy's case will be transferred to O.C.U.S. for supervision. It should be noted that this officer believes that the minor's prognosis is guarded with reference to rehabilitation, and removal from the home at a later date may become warranted. Hopefully, the supervision provided to the minor by a Probation staff will have a positive impact on his behavior. Further, continued counseling services or mental health treatment appears to be necessary in this case.

6. RECOMMENDATION:

It is recommended that Billy Bob Brown be adjudged a ward of the Juvenile Court, a charge of the Probation Officer, that he be placed on probation until further order of the Court; and that said minor be permitted to remain in the home of his natural mother, Lorraine Brown, 427 West Minarets, Apartment "D", Pinedale, California, until further order of the Court.

It is further recommended that said minor obey all rules and conditions of probation as ordered by the Court or the Probation Officer.

It is further recommended that said minor continue to participate in counseling services.

It is further recommended that the Court find the maximum period of confinement for this offense is six months.

Respectfully submitted,


JAMES ROWLAND
PROBATION OFFICER

By _____
Sibyl Day
Deputy Probation Officer

Dated: October 27, 1977

jm

READ AND APPROVED:



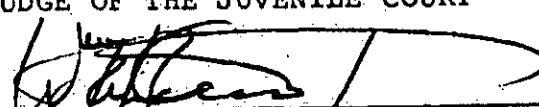
Supervisor

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The foregoing report has been considered.

Dated: October 27, 1977

JUDGE OF THE JUVENILE COURT



REFENSE OF THE JUVENILE COURT

CONFIDENTIAL MEMORANDUM TO COUNSEL

Date: November 30, 1993
To: Robert R. Bryan and Patience Milrod, attorneys
From: Mimi Kochuba, Chief Investigator
Paul Anderson Associates
Re: Transcription of a September 20, 1993 interview with Billy Bob Brown at the office of and in the presence of Rocky Pipkin and J.P. Pipkin, licensed investigators, Fresno [Stankewitz v. Vasquez, U.S. Dist. Ct. for the Eastern Dist. Case No. CV-F-91-615-OWW-P (death penalty)]

Note:

BB: - Billy Bob Brown
MK: - Mimi Kochuba
RP: - Rocky Pipkin
PP: - J. P. Pipkin

MK: September 20, 1993 and we are here to interview Billy. And, also present are Rocky Pipkin, and Mimi Kochuba and Rocky's father JP. So we're going to start from the beginning and go through everything that we talked about before but let's start a couple days before the homicide, and what happened and we'll take it from there, OK?

So, a couple days before the homicide, before you went up to Sacramento wha...you were living in Pinedale.

BB: Pinedale

MK: And what?

BB: I was at Pinedale OK, and that was the first time I ever seen Doug, OK.

MK: Did you meet him in Pinedale?

BB: I met him at Pinedale. It was the first time I ever met him.

MK: OK.

BB: Yeah.

MK: At a bar?

BB: No, I met him over at my sister's house. That's the first time I seen him.

MK: What sister?

BB: Cindy. My oldest one.

MK: OK.

MK: And who was with you at the time?

BB: At the time it was me, Doug, Rosie, [unintelligible, possibly JC] and Teena, and Marlin that lived.

MK: Marlin, OK.

BB: We're all there.

MK: Who drove with you to Sacramento?

BB: We all... well ok the only ones who went up there to Sacramento was me, let me think that was a long time ago.

MK: Yeah.

BB: Me, Doug, Rosie, Teena, and JC.

MK: And Marlin was already up in Sacramento?

BB: Yeah, Marlin was already there. Uh huh.

MK: Ok. And while you were in Sacramento what did you do?

BB: Well...uh...as far as I know they left me there at the house. We went to the bar, its called the GOLDEN NUGGET, well that's the first night we were there. We went to the GOLDEN NUGGET, that's what its called. And then...ah...third, Doug and them guys were, he went in there to go see if he could get some gold. That's what they called funny I guess up there. And he walked to see if he could get some gold and I was sitting at the corner of the bar and some other Indian guy starts messing with me. You know. And then I went up and I told Doug, I said, 'Doug, man, this guy is messing with me.' You know. And Doug told the guy to leave me alone. And the guy kept on messin' with me. So Doug just, [popping sound] bloom, hit him upside the chops and knocked him over the bar. You know. And I guess he knows the bartender because he didn't say anything to Doug.

MK: Uh huh. [agreement]

BB: He just threw the other guy out of the bar. You know. And Doug said he didn't want anybody messin' with me. And I said 'cool.' So after that we all loaded up...the next night we all loaded up in the car and we stopped by the GOLDEN NUGGET one more time to get some beer and stuff. And then we started heading back to Fresno.

MK: Ok so, you were drinking on your way?

BB: Well, I wouldn't say drinking. I would say a twelve pack, you know, I wouldn't say drinking.

RP: Were you guys smokin' any weed or anything, or?

BB: No.

RP: Just drinkin' beer.

BB: Yep.

MK: No heroin at the time?

BB: No, not at that time.

MK: Ok, what happened to the...alright..what happened...getting back to the Manteca Police station. You said there was a 25 caliber weapon.

BB: Yeah.

MK: How did you see it?

BB: Ok, the way I seen was...ah...the officer gave it back to Marian.

MK: How did he get it to begin with?

BB: He musta got it out of one of her bags or somethin' you know, I don't know. But, he gave it back to her and said...well you know...gave her back the weapon. That was all I know.

MK: You saw him give it back to her but you never saw him take it from her, or any, out of her bag?

BB: No I didn't, no. But he did give it back to her.

MK: And were there any other weapons that you know of that she took?

BB: Yeah, there was that knife a...ah...like a skinny [? possibly skinning] knife, deer hunting knife, it was in a leather sheath, you know. That fits on the belt.

MK: Who's knife was that?

BB: As far as I know it was Marlin's.

MK: Did you wear..

RP: Uh...

MK: Go ahead.

RP: Was it like an eight inch blade, a six inch blade?

MK: They showed you where the bus depot was, were you in the bus depot?

BB: We were inside the bus depot waiting in the lobby.

MK: Ok, and then what?

BB: And then we were setting there and that's when...uh...oh, I made a mistake, JC was with us too.

MK: Right.

BB: When we were coming back from Sacramento. Because that's when JC and Doug they took a walk. They left the bus depot. And then they came back about thirty minutes later.

MK: What did they do, did they tell you?

BB: Nah, they didn't say anything. And anyways next day, morning got there and then ah Marian says well, we got you know, we only got enough money to pay for Rosie, JC, and her to get on the bus. So me, Teena, Marlin, and Doug we had to hitchhike from ah...Manteca. So we got on the on-ramp early in the morning.

MK: Ok, hold that right there then. Uh...ok, so then you left Marian and the crew. You were gonna go to hitch hike back.

BB: Yeah, yeah all of, Me, Doug, Teena and Marlin we all went over to the on-ramp [unintelligible].

MK: Did you at any time while you were in the bus depot see Marian give any of those weapons to either Doug or Marlin or Teena?

BB: No, I didn't.

MK: You never saw those weapons in the bus depot?

BB: No.

MK: And you never saw Marian go in her knapsack and give them to anybody?

BB: No.

MK: And as far as you knew none of you guys had weapons?

BB: None as far as I knew.

MK: Uh...ah...on your way to hitch hike.

BB: Uh...no, not as far as I know.

MK: Ok, go ahead. So you...so you left the depot.

BB: Yeah, we were on the ramp gettin' on 99.

MK: And Marlin said what?

BB: 'Why don't we go ahead and get a car,' you know.

MK: And what did he mean by that?

BB: I guess...uh...what do ya think he's gonna rip one off yeah or ah...rip a car off or either just, you know kidnap somebody if we get pulled over. You know, if somebody takes us you know. So what happened was is...ah...Marlin, me and Marlin, we got a ride and we picked up Doug and them. Ok, and Marlin got all hesitated cause I know, because this guy had a big old pit bull in the back of his truck. [Laughter from all parties] I mean a big ole nasty ass pit bull and so he was, Marlin said he was gonna shine that on. So when he just took us on in to Sacra...ah...Modesto.

MK: It was a truck?

BB: Yeah, it was a truck, cause I was ridin' in the back I know it was.

RP: With the dog?

BB: Yeah... ah. [Laughter from all parties]

MK: Who put you back there? [she laughs]

BB: Yeah, because he was chained up against there and we was sittin' way toward the back. That way he wouldn't be able to snap at us. But anyway, you know, all jokes aside, we went from there, he gave us a ride to from there to Modesto. And then that's where we went through...uh...we walked across the highway to that K-MART parking lot. And then...

MK: Did you try and hitch hike after he dropped you off?

BB: Yeah, we were over on the ramp, you know. We were settin' there and it started raining you know. We were hitch hiking right when he dropped us off, we got on the on-ramp right there, started hitch hiking, but nobody picked us up. So we walked right over the overpass, you know, up to the K-MART lot. And then...uh...Doug you know tells us, you know, well Marlin says let's see if we can get a car.

MK: He said that again?

BB: Yeah, we can get a car. So ah about that time me and Teena we're over there at that SALVATION ARMY box you know, gettin' some clothes for us because you know it was cold out there, you know, and I didn't have my beanie cap on, my ski glasses you know, stuff that we found in there. Ah...she tells me she says 'listen, their

BB: Teena was hollerin' come on, so. And I was there at the phone, so I ran over to the car, and I...ah...as far as what I seen was is Marlin had a knife up against this girl's ok. He was in the back seat.

MK: How.

BB: He was in the back seat but he had a knife up against her throat, and she was in the middle of the front seat.

MK: Ok, just a second.

RP: Was that, that the same knife that you had seen the cops give to Doug's mom?

BB: Yeah, that same knife, yeah.

RP: Ok.

MK: He was in a...she was in the middle.

BB: Yeah.

MK: The victim was in the middle?

BB: She was in the middle of the front seat. Doug was in the passenger side in the front, Teena was driving.

MK: Where...were they all in the car before you got into the car?

BB: Yeah, they were all in the car before I got there.

MK: So they...so you didn't see them actually overtake her?

BB: No I didn't see it.

MK: You...by the time you got to the car they were all in there and you didn't see anything to that point?

BB: Yeah, they were all in the car.

MK: You didn't see anything up to that point?

BB: I didn't see anything.

MK: Ok, and the victim was in the middle of the front. Marlin had a knife up against her throat. He was where?

BB: He was in the back seat. Right in the middle of the...he was in middle of the seat in the back.

MK: Ok.

MK: You picked up Christina, Christine...

BB: At a bar right there.

MK: Ok, and then, then?

BB: Then we went to the OLYMPIC MOTEL.

MK: Who went to the OLYMPIC MOTEL?

BB: Me, Doug, Teena, Christine and Marlin.

MK: Did you all go inside the motel?

BB: No we didn't...ah...he had me and I know Teena and Doug went up to the room. Marlin and me and Christine, no, Christine, Doug and ah...Christine, Doug and Teena went up to the room. Me and Marlin was left out in the car with the girl.

MK: Ok, hold it right there then. Went up to the room.... What were they gonna do up in the room?

BB: Uh, I don't know. As far as I know, I don't know anything what they were doing up there.

RP: Were they gonna shoot up or something, or?

BB: I don't know. See, I can't say anything I don't know.

RP: They didn't say anything.

BB: ~~No they didn't say anything.~~

RP: They just went up there?

BB: That's it.

MK: Ok. And...

RP: Where...

MK: I'm sorry go ahead.

RP: Where was the girl at this time?

BB: The girl was in the back seat with me and Marlin.

MK: And what, if anything, did anybody instruct you what to do?

BB: Uh...uh...Marlin just told Doug, 'I'll just kill her if she tries to run out' that's it. Marlin was the one back there with the knife, so.

Motel.

MK: Ok, so...ah...then...ah...the victim was between you and Marlin. Marlin was holding the knife?

BB: Yeah in the back seat.

MK: They went up to the hotel...uh...motel room then they came down?

BB: They came down.

MK: Was their behavior any different when they came down, do you remember?

BB: Oh yeah, Doug's was. I mean, Doug's and Teena's, looked like they was drowsy and stuff. I said that in court, you know.

MK: OK. They both looked drowsy.

BB: Yeah, that's it.

RP: Were they high?

BB: I can't tell if they were. They were, Doug was actin' just like he always did...but he wasn't, you know he was just actin' drowsy. But other than that he was just actin' normal.

RP: What do you mean by drowsy exactly?

BB: You, you know like sitting there, you know, whenever he'd lay down, whenever he'd sit in the car for a minute his eyes would start you know closing a little bit.

MK: So he's kinda nodding?

BB: Yeah.

MK: So then him and Teena, how about Christine? How was...was she drowsy or ah..?

BB: Christine was, as far as I know, she was, you know, I wasn't really looking at Christine.

MK: Ok.

BB: You know, I mean I was watching Doug and Teena. But you know 'cause, you know, that's the ones who brought me down.

MK: Were you drinking at any time during that time?

BB: Yeah I was.

cause that why I thought we were still in Chinatown. When we went to Calwa that's where I fell asleep.

MK: That's where you fell asleep. That's where you...

BB: So, I thought we were still in Chinatown when we were over at Calwa, you know. And then we pulled over to...ah [unintelligible] Tenth and Vine. We pulled there at the corner. And ah.

MK: Were you up at that time? Were you awake at that time?

BB: Yeah, I was up yeah. Then what happened was, we pulled over to the side of the road and Teena said 'Ok, everybody got to get out of the car because ah we got to go pick up and the connection don't want anybody around his pad.' So we all got out of the car. Me and Teresa, that's her name, Ms. Graybeal, we got out of the car.

MK: You.

BB: And then Doug, ... me, Doug, Marlin and Teresa got out of the car.

MK: Where's Christine?

BB: Christine was still in the car. Ok, what happened was she asked me, I was sittin' right beside her, and she asked me if she could go to the bathroom around there.

MK: Was Teena still in the car?

BB: Yeah she was still in the car.

MK: She was still behind the wheel?

BB: Yeah, and I go, I don't know, but I asked her if she had a cigarette, you know. And she gave me a cigarette, and she got one and lit one. Then she didn't light it, I don't think, but right then Teena said 'Billy, come on, get back in the car.'

MK: Why did she say that?

BB: I don't know. She told us to get back in the car so the only ones out there, Marlin and Doug. And then that's when I heard the gun go off.

MK: Alright. She said 'get back in the car.' So you were getting back in the car?

BB: Yeah.

MK: Were you getting...Where was Christine sitting?

BB: Christine was on the...ah...if I'm correct she was sitting on

MK: And as you were getting back in the car, were you already seated on the console when you heard the gunfire, or still getting in?

BB: No, I was still getting in. Then I heard the gunshot. And when I finished sitting down that's when I looked over.

MK: Ok, by the time you sat down the gun already went off?

BB: Yeah.

MK: Then you were seating yourself?

BB: Yeah.

MK: And then you sat down, you heard the gunshot but you were sitting down, you were in the process of sitting down on the console? And then you looked to your right or your left?

BB: I looked to my right because that's where we were at.

MK: And what did you see?

BB: I seen, the gun went off, I seen Marlin at that time heading back to the car. I seen her laying on the ground.

MK: Ok, and who had the gun, at the time, in their hand?

BB: At the hand, uh...at the time Marlin had it in his hand. So, at that time, at that particular moment Marlin had it in his hands.

MK: And what did he do with the gun?

BB: He didn't. He went and we put it in the on the side of the console, right there, stuck it, you know, it had a little case. You know a little 25 [unintelligible] case, stuck it on the side of the console.

MK: Who did? Marlin did?

BB: Marlin did.

MK: Alright, ah... you saw them both coming back to the car.

BB: Yeah.

MK: Now you said that Marlin was closer?

BB: Marlin was...Doug was already coming toward the car. Marlin was behind where that girl was at. Ok, he was the last one to get in.

MK: Who did you see shoot?

BB: When I got home and they were coming over, I said Mom, well, I just seen this lady get shot and killed right now. So, my mom called in and that's when the detective and everything came down.

MK: Ok, now, so then I guess, then you started talking to the cops and you told them what happened. How many times were you interviewed by the police?

BB: Couple. [unintelligible]

MK: Ok. Uh...when Mr. Ardaiz talked to you did he make any deals with you? Do you remember anything that he..?

BB: He just told me I would get immunity from all charges for my testimony.

RP: Did he threaten you first though? Did he tell you, you know your facing the gas chamber?

BB: Yeah, he you know, he told me that I be,...ah...I'll be accessory to murder, armed robbery and kidnapping.

RP: Ok.

BB: You know and that's what he told me, you know, I said well I don't, he goes we'll give you free immunity of all charges if you testify against this guy.

RP: Tell you what kind of time you'd face?

BB: Yeah, he said I could get a lot of time for it.

MK: Uh huh. [agreement]

RP: How much did he tell you?

BB: He said a lot of time that's all.

RP: Did he say 25 years or life?

BB: He just said you could get a lot of time for it.

RP: What did you think what he meant?

BB: I thought I was gonna get sent up the river.

RP: How long?

BB: A long time.

MK: Ok, did he...what else...so he promised you an immunity?

BB: He promised me immunity. He promised me a change of identity,

RP: Did he talk to you in the presence of Ardaiz?

BB: He, yeah, he no not in the presence of Ardaiz. The only ones who talked to me in the presence of Ardaiz was Jim Spralding his...ah...investigator. That's the only two that talked to me...ah...you know in a closed room. The only two that talked to me.

RP: Ok.

MK: Ok, so only Spralding was with...?

BB: Yeah Ardaiz whenever they...

MK: Ardaiz, when Ardaiz talked to you?

BB: Yeah.

MK: Was he always there when Ardaiz talked to you?

BB: Uh, no not on a couple occasions. But did you put down on the, on the tape that...ah...they gave me some wine before I went to court.

MK: That, well, I wanted to ask you about that.

RP: Some Cocaine?

BB: No, wine.

RP: Oh.

BB: They bought me a bottle of wine before I went into the court.

MK: This was during the first trial?

BB: Yeah.

MK: Were going to the first trial first. Gave you wine before you testified. [writing] Did you ever do any heroin or any other drugs while you were testifying?

BB: No, no.

MK: Who gave you the wine?

BB: Uh, Bill Spralding. Jim Spralding whatever his name was.

MK: And did Ardaiz know about that?

BB: Yeah, he knew about it.

MK: How do you know?

MK: You started using heroin after that?

BB: No, that was after the second trial too. I haven't used on both trials. I haven't really been on it. You know, it was after this bullshit.

MK: Uh huh, [agreement] after both trials?

BB: Yeah.

MK: Ok, so during the first trial they bought you some Thunderbird and you were usually buzzed when you were on the stand?

BB: Yeah.

MK: Uh, did any...in any way did Ardaiz coach you? Or, go over what he wanted you to testify to?

BB: Oh, yeah! Hell yeah!

MK: What did he...?

BB: He took me ok, on a...it was on a weekend too, on a Saturday. He'd take me up to the DA's office up there on a Saturday. And his office would be the only one open. He'd take me into his office on a Saturday, all day long, goin' over those transcripts what he wants me to say.

MK: Uh huh. [agreement]

BB: You know, and I'm talkin' all day.

RP: Hours.

BB: You know, he said...he'd be goin' over them transcripts left and right on me. In other words, he cooked it in my brain what to say. I was like a tape recorder when I went in front of the judge. You know, I knew exactly what he wanted me to tell him.

MK: What did he want you to say?

BB: Everything! To tell him that Doug was the one that did it, that Doug pulled out the gun and shot em. You know, all that good shit.

MK: So you never...at no time...uh...did you tell him that you didn't see that.

BB: No, I told him several times I didn't see that. He goes well, this is what I need for you to say. That's exactly what he told me. This is what I need for you to do. [taps the table for emphasis] That's it.

MK: Did Ardaiz ever talk to you at the second trial.

BB: No, not at the second one.

MK: What did, did Robinson threaten you in any way?

BB: No Robinson didn't...you know, he wasn't as bad as Ardaiz. You know, he didn't try to scold or coach me or anything. I just told him that I don't remember, I don't recall that's it. No, I remembered what Ardaiz told me to say so that was it.

RP: But, you remember back when Ardaiz was coaching you and if you didn't remember what he wanted you say he told you to say, I don't recall?

BB: Yeah.

RP: So you remembered that and carried that over to the second trial then?

BB: Yeah.

MK: Did Robinson reiterate your, or tell you again that you had immunity or what? Did he threaten you that...ah you'd go to jail?

BB: No, ah...Robinson didn't threaten me or anything you know. I just remembered what Ardaiz told me I don't recall, if I ever go back to trial again just say you don't recall. You know, the stuff you don't remember you say you don't recall that's all.

MK: Did you ever talk to Hugh Goodwin?

BB: Hugh Goodwin? Uh, I don't remember if I did.

RP: He's an African American.

BB: Yeah I know what he looks like.

MK: Uh, did you want to testify in the second trial?

BB: No.

MK: Did you try to, try to avoid testifying?

BB: Yeah.

MK: How, what did you do?

BB: I just trying to stay low, but they tracked me down.

MK: Who tracked you down?

BB: Uh, uh some detective, workin' for ah...what's his

Are you guys almost done?

MK: We're almost done, honest, Billy. I just need to get I just want to get all of this really down, Ok?

RP: Cause we don't have to bother you again.

BB: Well, you know where I'm at you know.

MK: I know, but it's hard to get a hold of you.

BB: Not really, if you just call and let em know you're comin' you know.

MK: Well, you know I need to get your phone number.

BB: I know it's 43... [unintelligible]

MK: Alright, because after I finish this, you know, this I have a declaration, but I really would like to do a different declaration. You know what a declaration is?

BB: Un. [negative]

MK: It's just all the information you told me today I want to write it down, and then I want you to read it, and have you sign it. But I'll have to have you sign it.

BB: Do what just call me up you know where it is. Alright. Call me up and I'll sign it.

MK: Ok. Ah.

BB: As long as it's gonna help him. You know, so.

MK: Ok. Do you...ah...did you have...were you ever...do you have any juvenile court records? I mean were you ever in juvenile court?

BB: Yeah. Uh yeah before that? Yeah I was.

MK: Before the homicide?

BB: Yeah, I was busted for...ah..oh just petty stuff, right, you know.

MK: Did you have any charges that you...ah...had in juvenile court dropped after you testified?

BB: No just when I got out of court. I mean, when they gave me immunity I got those charges dropped, you know murder, attempted murder, armed robbery, and... [unintelligible]

BB: Oh yeah but I never went to the hospital.

MK: And you've never seen a doctor?

BB: Nope.

MK: Between that first and second trial. And were you on any kind of medication in the second trial?

BB: Not that I know, no.

MK: And you weren't doing any heroin during the second trial?

BB: Nope.

MK: Do you have any charges against you in any other county besides those now, I mean you know your?

BB: No, I...[unintelligible]

MK: Ok. Did anybody in...member of your family get any charges dropped against them because you testified, I mean was that part of the deal, you know, your sister's in trouble we'll drop the charges if you testify?

BB: No.

MK: Ok. How long were you without sleep on the day of the homicide? Cause I know you guys went to the police station?

BB: Well, I was...I slept all that night up there if I remember. I slept all night.

RP: At the bus depot?

BB: Yeah. I slept right there in the bus depot you know, for a little while.

MK: Uh huh. [agreement]

BB: And I slept like I said, you know, in between Chinatown and there but, you know. I was aware of what I was doing. You know, I was young that's all, you know, you're aware of stuff like that when you're young your brain's pumpin' pretty good.

MK: So from the time you saw the gun in the Manteca Police station until you saw Marlin with the gun, you never saw that gun between that time?

BB: Nope.

MK: Did you ever, did you ever hold the knife at all and use that?

later.

MK: Where were you?

BB: I was locked up from juvenile hall.

MK: Oh, so you were locked up in juvenile hall?

BB: Yeah, they said, they said, they were gonna take me right back to my mom's house, but I didn't see her for two months later.

MK: Uh huh. [agreement]

BB: They didn't let her see me, they didn't let her talk to me. The only ones I talked to was Ardaiz and that Bill Spralding... Jim Spralding. You know, and that was kinda cold right there.

RP: So they just kind of had you on ice until the trial?

BB: That's it. Yeah.

RP: They wouldn't let you go?

MK: So, they didn't say, well you know, you've heard of the Stankewitz family, their well known, we want to get the Stankewitz family?

BB: No.

MK: You didn't hear them...?

BB: They said, they told me that ah... the Stankewitz's was some mean people. They were some rude people.

MK: Uh huh. [agreement]

BB: That's all they told me.

MK: So...ah...

BB: Their not the kind of people you want to mess with and all that. No, but to tell you the truth I think Ardaiz had it out for them you know?

RP: That's just your, your opinion?

BB: Yeah my opinion.

RP: Yeah. Based on the way he acted and everything?

BB: Yeah because when Doug escaped that one time from jail. Doug...eh...Ardaiz had told my mom right to her face 'I wish I run acrost him before they catch him, I'll blow him away.' That's what

BB: And then...ah...that was...I hadn't seen him for a while after that and then the next thing I know...ah...Teena and them come over to MARY'S PLACE looking for me. You know. I was over there sweeping.

MK: Yeah, you met Doug and then you didn't see him for a while. What do you mean, a couple of days?

BB: No, that same day we took off.

MK: Oh, that same day, oh I see.

BB: You know, and, I was over at MARY'S PLACE and the next thing I know because I sweep their floors up for them.

MK: That's a bar, right?

BB: Yeah. The next thing I know...ah...Teena comes over there and asks me if I wanna go with 'em. You know. Down to Chinatown to go see Doug with 'em. So I said yeah. Then I got done sweeping, I got my money from the owner of the bar, and we took off. We went to Chinatown. And then...ah...and then we ran into Doug down there. You know. So...so...know... from there they said they didn't have enough gas to make it all the way to Sacramento, but to go to Pinedale and then go all the way to Sacramento.

MK: Right.

BB: So, then they ask me if I can go with them. Just go ahead and they'd bring me back that same night. You know, but it didn't turn out that way.

MK: Uh huh. [agreement]

BB: You know, so what happened was we took off and we went to Sacramento. We were up there for a few days.

MK: Where did you stay when you were up there?

BB: Over at Glenda's house in Sacramento. [unintelligible]

MK: Did all of you stay at Sacramento?

BB: Yeah.

MK: I mean at Glenda's?

BB: Yeah.

MK: You all stayed at Glenda's?

BB: Yeah.

MK: Right.

BB: You know. But we were on our way back you know. And at that point it was me, JC, Marilyn, Doug's mom, and...ah...Teena and Rosie. They were all come in [unintelligible] but Marlin wasn't with us. Then we started coming back and we got stopped in Manteca. OK, and I didn't know what was happenin'. I went in the store and then I came out and they were changin' the transmission fluid in the car you know and Doug asked me to hold the hood open. So I held the hood open of the car and ah the next thing I know it, I hear somebody say 'put the hood down and put your hands on the hood.' Ok, so I looked over the hood like that, and I got guns all over us. You know, and they had us all drop down. And they took us all in right there. Took us to Manteca jail.

MK: Did they, ok, at that time did they find any weapons with you?

BB: Uh.

MK: At that time just.

BB: Oh, at that time?

MK: Yes.

BB: Whenever they got us? I don't know at that time. You know I can't say they did or they didn't. I know that they found it after we got into custody, I know they found one. You know. And...

RP: What kind of weapon?

BB: It was a 25 caliber...

RP: Little Pea shooter?

BB: pist...little pistol, you know. And...ah...they told us...ah...they took us down to Manteca jail. They had us there for several hours. And then they came out and they told us well they had some good news and some bad news for us. You know. The good news is that we could all leave and they say the bad news is the car has gotta stay, because they couldn't contact the owner of the car. You know so I...you know we all walked and...ah...

RP: Who, who was the owner of the car?

BB: I don't know to this day I don't know. Ah...But what it was...

MK: Um...

BB: it was supposed to be Teena's grandfather's or something, you know...[unintelligible] how that works.

MK: Oh, ok...

BB: It was about a... 'bout an eight inch blade, it rounded off at the tip.

RP: Kinda like a bowie knife does [unintelligible]?

BB: It came up and then rounded off at the blade, you know, like a circle at the end of the blade.

RP: And, with kind of like a dull point rather than a real sharp looking?

BB: Yeah.

MK: But, and the cops didn't take that?

BB: Uh, they took that and the gun but they gave both weapons back, so.

MK: And you saw them give the knife back to Marlin?

BB: Yeah, I seen em give em back. They gave both weapons back to Marilyn, Doug's mother.

MK: Marian.

BB: Yeah, Marian.

MK: So, they gave the gun and the knife back to Marian?

BB: That's it.

~~MK: And what did Marian do with them at that time?~~

BB: At that time she put 'em inside of her knapsack she had.

MK: Ok. And then, ok, you did not, at that time she put them in the knapsack and you didn't see her give them to anybody.

BB: That's it.

MK: Then what did you do.

BB: Then...uh...after...uh...[unintelligible possibly camera] call we said, if we asked where the closest bus depot was. And the police officers...uh...directed us to the bus depot. Ok, so we all went over to the bus depot and we were setting there because there was no buses running so early in the morning. So we were setting there and...ah...

MK: Where were you sitting? Was [unintelligible]

BB: I was setting right there on the well...

BB: Yeah we went to the depot and we got on Highway 99 or whatever that highway is.

MK: Did you not know that Marian...I mean...you did...you weren't aware of the fact that there was not enough money?

BB: No, they didn't even tell us that.

MK: Until the following morning?

BB: Until right there, until they were by the gate they didn't have no money, that's why we all had to hitch hike.

MK: Allright.

BB: So, after that we started hitch hiking and then it was...

MK: Whose idea was it to hitch hike?

BB: It was Teena's and our. It was all of ours idea to hitch hike because we didn't have no other way to get home, you know, so. We started hitch hiking. It was me, let me think back, now that was a long time I'm tellin' ya, it was me, and Teena, Marlin [unintelligible] and no Teena and Doug walked ahead me and Marlin was in the back, ok. And if we caught a ride before they caught a ride, right, we were gonna stop and pick them up.

MK: Right.

BB: But if we couldn't get a ride and they got a ride they'd have em, you know, back up and pick us up.

MK: Uh huh. [agreement] So you were all trying to do it, trying to get a ride.

BB: Yeah, yeah, so what happened was uh...Doug at that point, not Doug but Marlin says 'Why don't we just go ahead and get a car from there?' You know while we're hitch hiking.

MK: Where were you at the time?

BB: Uh...We were right there leaving Manteca.

MK: And where, where exactly?

BB: Off the highway.

MK: Up 99?

BB: Yeah.

MK: You were on the ramp?

gonna get a car.' So I was sittin' over there by the telephone booth she goes 'whenever we get a car, listen, we'll holler for you. You come over when we holler for you means we got a car.' So then I was standing right there by the phone booth where the [unintelligible] and everything.

MK: Ok, so Teena, so you were looking at ah...clothes in the SALVATION ARMY bin?

BB: Yeah. we got some clothes out of it, you know.

MK: And you and Teena, ok.

BB: We got some clothes, got some clothes out of it, you know.

MK: And Teena said that, 'look their gonna get a car.'

BB: Yeah.

MK: And so then did she tell you to go stand over by the phone booth...or...did you?

BB: Yeah, she asked me to wait by the phone booth. She says 'whenever we get a car,' if they get a car, 'then we'll call you,' you know. I said Ok. Can...can we take a quick break? I got some quick questions.

MK: Yes.

BB: Um...

--- T A P E I S S H U T O F F . ---

T A P I N G R E S U M E S .

RP: Ok, we were off the tape there for about 30 seconds to just take care of some housekeeping [to order lunch]. So now we're back on the tape again.

MK: Ok so, Teena said wait by the phone and when?

BB: When they get a car they said they'll call me you know, and for me to run over and get in the car. And that's where...

RP: Not call you on the phone, on the phone just wave at you.

BB: No, no, their gonna wave at me, their gonna holler at me and that means for me to run over to the car, whatever car they got. So...ah...I was standing by the phone the next thing I heard was saying come on, come on. And I seen 'em and they were in a car.

MK: Who was yelling come on, come on?

BB: He had his arm wrapped around, see, to where the knife would go right by her throat so. Told her not to move.

MK: Ok. And where was Doug?

BB: Doug was in the passenger's side seat. He didn't have no weapon as far as I could see.

MK: Ok, and Marlin was that the same knife?

BB: Yeah, Marlin was the only one I seen with a weapon at that time.

MK: Ok. And you didn't see them overtake her, they were all in the car by the time you got there?

BB: No, yeah they were.

MK: And then what happened.

BB: From there we got in the car and then we took off.

MK: Where were you going?

BB: We headed toward Fresno.

MK: Ok, and where did you go?

BB: We went for Fresno, we went to Calwa. Well I thought it was Chinatown, you know, the way it looked I thought it was in Chinatown cause I was young, you know. They said, so what happened they went to Calwa to a...as far as I know from what I recall was the [unintelligible] thing over on Tenth and Vine.

MK: Yeah, but...

BB: And then ah...oh we went to Chinatown first.

MK: Ok.

BB: We stopped there and that's where we picked up Christine Menchaca.

MK: Where did you pick her up?

BB: Over at what they call the OLYMPIC MOTEL in Chinatown.

MK: Ok, and...ah...did you...first you drove to Chinatown, you went directly to the OLYMPIC MOTEL?

BB: We went right there, we picked up, we picked up Christine over at the bar I forgot the name of it. It was a long time ago, but it was a bar.

MK: So he still had the knife?

BB: Yeah.

MK: On her?

BB: Yeah.

MK: He said he'd kill her if she tried anything?

BB: If she tried to run.

MK: So then you waited in the car. You didn't...ok...so.

BB: No, I didn't do anything because I knew Marlin had that knife.

MK: So you didn't try to help her leave or anything?

BB: No, no.

MK: You knew Marlin had that knife.

BB: I knew he would kill me too probably.

MK: And he held the knife up to her the whole time?

BB: Yeah, he held the knife on her.

MK: Where was he holding the knife?

BB: Right up to her pushing right here, to her chest.

MK: To her chest?

BB: Yeah.

MK: And there was no gun around that you saw?

BB: No gun, not that I seen.

MK: Ok, so then you were sitting in the back seat then. Somehow she got in the back seat, right?

BB: Yeah.

MK: Right. After you picked up Christine?

BB: Yeah. Because Christine got up in the front ok? and then they put her in the back seat with us.

MK: Uh huh. [agreement]

BB: And Christine was sittin' up front until we got over to the

MK: What were you drinking?

BB: Well they bought me a, I was drinking a little bottle of wine.

MK: Where did you get the wine? Was that...Were you drinking from the time you left the K-MART shopping center till you got to Fresno, were you drinking any of that time?

BB: I just drank when I got here to Fresno.

MK: When you got to Chinatown?

BB: Yeah.

MK: You stopped in Chinatown for some...for some?

BB: Yeah, we stopped at a store with her still in the car, stopped and got some beers and stuff, you know.

MK: Ok. Who went in and got the beer?

BB: Marlin went in and got the beer. Ok at that time when Marlin went in and got the beer, the girl was so scared. She wasn't gonna try anything anyway, you know.

MK: Uh huh. [agreement]

BB: So we just...Marlin just jumped out...Doug was still in the front passenger with the seat down, she couldn't get out anyway, you know. And [unintelligible possibly Marlin] came out and got the beer and I was, and that's when I started drinking, so.

MK: When you got to Chinatown?

BB: Yeah.

MK: You started drinking, you drank a bottle of wine, did you drink any beer?

BB: I drank about, sheeh, five cans of beer, you know, for fourteen years old, five cans of beer is gonna get you buzzin'.

MK: Sure. During that time so you came and you met Christine in Chinatown, you were drinking wine and beer did you fall asleep at all?

BB: Yeah, if I recall right I did fall asleep.

MK: When?

BB: I don't know exactly when, because I told the courts I did fall asleep but I don't know when. I think I fell asleep between Chinatown and Calwa that's where I went to sleep at. You know,

the driver's side in the back. Because I was getting into the passenger's side. And I was gonna sit in the middle on the console.

MK: Did you, ok, and when you heard the gunshot where exactly were you?

BB: I was right there on the middle of the console.

MK: Sitting on the console?

BB: Yeah, I was already sitting, and I turned around like that, that was after I heard the gunshot.

MK: Ok.

BB: So I turned around and looked, and then Doug was away from the girl. Marlin come walking from where she was at. But Doug was away from her. So I can't say who really shot her.

MK: Ok. So I want to go back. I just want to make sure I know which direction your coming, ok? The car parked here [something is moved across the table], Teena is behind the wheel...Christine...

BB: The car is parked like this, ok, say you pull up along the curb right here. The passenger side is this side, the driver side is this side: Ok, me and all us got out of this one side.

MK: Right

BB: Ok and then whenever Teena called me...Christine was sittin' over here.

MK: Were they...were you ok. You got out of the passenger side, were you in the front of the car, in the back of the car, or on the side?

BB: I was right there just on the side of it.

MK: So was, was Doug and...ah...Marlin and Teresa Graybeal on the side of the car?

BB: They were on the side yeah. We were all four standing right there.

MK: So, you weren't more towards the front of the car, more towards the back of the car, you were right on the side.

BB: No, we were right on the side of the car. Where the door opens, right there by the side of the car.

MK: Ok, then Teena told you...

BB: 'Billy get back in the car.'

BB: I didn't see anybody shoot. I just heard the gun go off. See, that's why I can't understand why they said that I said I seen Doug shoot her. I didn't say that. You know, so that's a big mistake on their part because I didn't say Doug shot her.

RP: As you sit here today are you absolutely positive of that?

BB: I'm positive I didn't see Doug shoot her.

RP: And your not saying that because anyone coerced you or?

BB: No, no, no, no. You know, to this day as I'm sitting here right now, I can't tell you if Doug shot her or Marlin shot her. I don't know.

MK: Ok, ok then what happened?

BB: Then after that we all got back in the car. Marlin was in the back and he said something 'Did I drop her or did'

SIDE ONE OF TAPE ENDS.

BB: ...that's what they printed in the paper.

MK: Uh huh. [agreement]

BB: You know, and that ain't right.

MK: So, so it was Marlin who said that?

BB: Yeah, he said, he got in the back right where, I you know was sittin' in the middle and that's what he said. I know for a fact.

MK: And then what happened?

BB: And then after that, we just got in the car we took off and they brought me back to Pinedale and dropped me off. And then Doug and Teena told me not to say anything. So, but when I got out of the car I went in the house. My mom...uh...already, you know, reported me as a runaway. So then, they took me in there and they, yeh...I told my mom hey, I seen a girl get shot and killed right now. And then detectives and everything swarmed in right there and that was [unintelligible].

MK: Ok, and then you went, and they said not to say anything and then your mom had already put a....

BB: My mom'd already put a runaway on me.

MK: Right. And then?

and he'd move me somewhere. And...uh...none of that bullshit went through. You know and as soon as he prosecuted Doug and then all that shit went down he didn't give me shit.

MK: Why do you think that...uh...why do you think that they went after Doug?

BB: He went after Doug for he can get a...to be a Superior Court judge that's why. They prosecuted Doug...

MK: Why did they pick Doug and not the other two?

BB: I don't know, by prosecuting Doug that's what put him in the fucking judge's chamber right now. But he don't care about me or anybody else.

MK: And that's why he went after Doug to be benched. Did he tell you anything about Doug's background or anything?

BB: No.

MK: Uh...but he didn't...uh...did he tell you anything about the other co-defendants?

BB: Nope.

MK: Did he tell you they were gonna cooperate as well?

BB: No, they didn't say anything about that he just told me that if I, if I would testify he was gonna promise me the world that was it. You know, and move me out of state, he hasn't done that. You know.

MK: And so that was the only deal made was the immunity?

BB: Yeah, the immunity and he was gonna change my identity and stuff. And look now, I gotta sit here in Fresno County, right I go to jail, I gotta deal with the shit in jail. I mean you know, he ain't backin' me up, he ain't guarding me or anything.

MK: Uh huh. [agreement] Did he ah...get you an attorney?

BB: I uh...he had that...oh, what's his name, I don't remember his name but he had a attorney there.

MK: Did this attorney ever advise you or talk to you?

BB: He came up and he told me to say anything...ah...or the same thing Ardaiz told me that, hey we'll give you the free immunity if, you know, we'll give you immunity of all charges you know, you won't be facin' so much time if you go ahead and testify against him.

BB: Because I called him and told him I needed something to calm my nerves. So he had to know about it.

MK: And what did he say when you said you needed something to calm your nerves?

BB: He said that Jim Spralding would take care of it for me. He did, he bought me a bottle of wine.

RP: What kind of wine was it?

BB: Thunderbird.

RP: Did you drink it all?

BB: Yep.

RP: How big was it?

BB: A fifth.

RP: And then when did you go testify?

BB: That same day.

RP: Right after that or?

BB: Yeah. Right after I drank it I went into court.

RP: Did you have a buzz when you went in?

BB: Hell yeah, I did. You didn't think I did? [laughs] Sheeh...my brain was cookin' when I went in there. [laughs]

RP: Well were you using heroin before this?

BB: No.

RP: Were you smokin' weed or anything like that?

BB: No.

RP: When did you first start using heroin?

BB: Uh, this was after that.

RP: After the...

BB: After the trial.

MK: After the first trial?

BB: Yeah.

RP: So would you, would you say then that he put words in your mouth?

BB: He did. He put a lot of words in my mouth.

RP: And would you say those words that he...

BB: Cause ah, because what happened was...ah...he told me whenever I went in front of the judge, and then if the prosecutor asked me a question right.

RP: Uh huh. [agreement]

BB: That I couldn't remember what Ardaiz told me to tell 'em, he said to tell them I don't recall. So that's how come on this last trial I kept saying I don't recall, I don't recall. That's what they told me...they wanted me to say.

[Three high pitched beeps are heard.]

BB: Is this about done? I got something to...

MK: Yeah, we have a few more minutes. Ok? Ok so, so, he would say I don't recall.

BB: Yeah, he would tell me to say, I don't recall. If I ran across a question, right, that they wanted me to say, that he didn't want me to say, then I'd tell them I don't recall.

RP: Ok let me ask you this. So, so lets go back to, I want to ask you the question about he put words in your mouth. When, when you said what he wanted you to say like putting words in your mouth, you're telling us today that what you said then wasn't true?

BB: Right.

RP: And you're absolutely 100% sure?

BB: I'm positive.

RP: Ok.

MK: What about the second trial?

BB: The second trial was just like what I was tellin' this stuff right here. The second trial was I don't recall, I don't recall. That's all that went through that second trial was I don't recall, I don't remember.

MK: Ok, but...what happened for the second trial, was it Ardaiz who talked to you or was it Robinson?

BB: It was Robinson.

name...Robinson.

MK: Did you tell Robinson you didn't want to testify?

BB: Uh, no.

MK: Did you tell anybody?

BB: Because they said, well, at that time I told them that I didn't want to go to court.

MK: Who?

BB: Well, at that time, they said they could bust that immunity on me if I didn't show up for the court. They could take me into custody for ah...contempt of court. That's what Robinson said.

RP: When you said...You just said something about they said they could bust the immunity. Did they tell you that if you didn't testify, that they'd file new charges on you?

BB: Yeah, they said that they could break the immunity charges and then...that I could be filed...you know, have new charges filed on me, and ah...I didn't want that.

RP: Murder?

BB: I don't know kind of charges they just said charges that's all.

MK: But then, they told you that before you said?

BB: That's before I even wanted to come to court. And that's how come I agreed to come back to court on the second trial.

MK: Because of the immunity? You were afraid they were going to lift the immunity?

BB: Yeah, they were going to lift the immunity.

MK: So that's when you decided you'd better...when the detective came and found you?

BB: Yeah. Yeah that's when I came to court.

MK: Were you drinking or buzzed on the stand during the second trial?

BB: No, not on the second trial.

RP: So, so Ardaiz, Ardaiz just didn't offer to go get you another a bottle of wine on this one. [he laughs]

BB: That's it Ardaiz is...ah...just full of shit that's what it is.

MK: Murder charges right. Ok but and have...

BB: They were the only charges I have.

MK: In juvenile court.

BB: Yeah.

MK: And, uh even between the first and second trial were you in any kind of trouble with the juvenile court?

BB: No.

MK: None?

BB: Nope. Hell no what would I want to get in trouble for when I got murder [unintelligible] on my way [unintelligible].

MK: Uh...yeah...but then you just did time just now, what was that?

BB: Oh, that was for ninety days for under the influence though. See, they busted me for petty theft. They picked me up on a petty theft with a prior warrant. And I went to jail. I went to court on that and they gave me twenty one days. But then the cops that picked me up, they gave me under the influence charge. So I went to court the next day on that and they gave me ninety days on that. That's what I just got out for.

MK: Did you ever see a counselor or a psychiatrist or psychologist between the first and second trials?

BB: Nope, not that I can recall.

MK: You didn't see anybody, I mean you weren't having any problems sleeping or anything like that, where you thought you needed to go and see somebody.

BB: No.

MK: Were you ever given any medication, like sleeping pills or anything like that?

BB: Oh, I got ah...I got a couple from my mom but you know I never went to a doctor for it.

MK: Well yeah, no prescription I eh.

BB: Oh no, I never went to the doctor to get a prescription, but I borrowed some of my mom's sleeping pills or you know, or her nerve pills, I took those.

MK: Right.

BB: Not that I remember.

MK: Ok, and um...Chief...and Doug never came out of the motel and asked for the gun? When he came out of the OLYMPIC MOTEL?

BB: No.

MK: He never asked?

BB: No.

MK: Ok. Uh...I think that's...

BB: It?

MK: Yeah. [laughs] I'm just double checking.

RP: Didn't want to say that word though, Billy. [he chuckles]

BB: Oh ah, I need...ah...at you were s'posed to ask me one question that and...ah...

MK: Right. And I that's what I...eh...what I...I think maybe I asked it, but we can ask it again. Why would they finger Doug as the person?

BB: I don't know why they fingered Doug. They should have, as far as, as far as my recollection, Marlin should be the one to be fingered. 'Cause he was the one who did mostly everything.

MK: Yeah, but you didn't tell the police that?

BB: No...ah...see what happened was when they took me in they didn't give me a chance to say anything. You know, they just got me and they, boom, that's it.

MK: You mean the day of the homicide?

BB: Yeah. They had me racked up right there.

MK: So they didn't take a statement from you?

→ BB: Uh...they took a statement from me, from...ah...but that was a long time ago I don't know what I said or what I did.

MK: Uh huh. [agreement]. And then they let you go back to your mom's house right?

BB: No.

MK: Where did they?

BB: I didn't see my mom, didn't see my mom for about two months

Ardaiz said.

MK: Ok, I was, I know that was the question Evelyn wanted me to ask him. Ok I'm gonna turn this off it's...

RP: We're out of tape.

MK: It's...ah.

RP: One fifty four.

MK: One fifty four.

TAPE IS SHUT OFF


COMPLAINT HISTORY DETAIL

COMPLETE 02/08/78

0259 3/OCJ (CP03/00006 1255/01/Q)

- /2108 COMP BROWN, RPTS OUT OF CONTROL JUV THIS LOC
- /2110 DISP 3Q11 JOHANSEN
- /2110 EXCHG 3K41 PRINCE
- /2110 PREEMP 3Q11
- /2119 10-97 3K41
- /2129 MISC 3K41, REG DET HAVE POSS 10851/207/187 (ALL POSS)
- /2143 ASSIST 2D19 MC DANIEL
- /2146 RADIO 3K41, FPD SGT AND 1 UNIT ENROUTE
- /2152 RADIO 3K41, BILLY BROWN STATED THAT DOUG STANKOWITZ KIDNAPED A WHI
IN MODESTO
- /2152 10-97 2D19
- /2154 RADIO 3K41, THEY DROVE TO FRESNO IN FEMALES WHI/RED LEMANS
- /2155 RADIO 3K41, BROWN STATED STANKOWITZ SHOT THE FE IN HEAD AND LEFT H
HINA TOWN
- /2213 TRANS 2D19 CHINA TOWN, WILL 11-98 FPD
- /2214 MR #780390026 3K41, POSS 187 F/U D-PRINCE
- /2214 10-98 3K41, MR
- /2219 RADIO 2D19, ADV HANFORD PD TO BOL FOR VEH
- /2220 RADIO 2D19, SUBJ HAS BROTHER IN HANFORD HOSP POSS ENROUTE THERE
- /2230 RADIO 2D19, HANFORD PD ADV
- /2231 10-97 2D19
- /2233 MISC 2D19, WILL BE IN AREA OF MISSION
- /2254 RADIO 2D19, 11-98 WITH FPD AT EL TANAPA
- /2328 TRANS 2D19 E/KERN
- /2331 MISC 2D19, 3 SUBJS IN CUSTODY, WAS THIS WHI/MAROON COUGAR?.AFF
- /2335 MISC 2D19, PD HAS VEH AT THIS LOC
- /2336 MISC 2D19, HAVE ALL FOUR SUBJ
- /2348 TRANS 2D19 ENR HQ
- /0057 10-8 2D19
- /0057 CLOSED
- /0137 MISC, FPD LT LARGE REPORTS FEMALE BOB
- /0138 MISC, BOB FOUND AT NINE AND TENTH IN CALWA

0032 #/DEADP (WC01/00006 3260/34, R -)
 E VINE AV/S TENTH ST-NM
 /0150 EMER FPD, REPORTS FINDING THE BODY OF A DECEASED FEMALE/THIS IS T
 TO THE MISSING FEMALE FROM MODESTO/SEE CALL NUMBER 259
 /0151 DISP 1K11 D-ELLIOTT
 /0151 DISP 1K03 SGT GATTIE
 /0151 DISP 1Q31 D-MORRISON
 /0151 10-97 1K11, 0139 HRS
 /0151 10-97 1K03, 0143 HRS
 /0151 10-97 1Q31, 0146 HRS
 /0155 ASSIST 1I24
 /0156 ASSIST 3I18
 /0158 ASSIST 2D19 MC DANIEL
 /0159 TRANS 3I18 FPD HQ, CHECKING THE SUSP VEH TIRES PRIOR TO GOING TO THE S
 E
 /0201 10-97 3I18
 /0204 10-97 2D19
 /0205 10-97 1I24
 /0211 MISC 1K03, APPEARANTLY THE BODY HAS BEEN AT THIS LOCATION SINCE 2030
 /0212 MISC 1K03, 1K11 AND 1Q31 WILL BE CHECKING WITH RES IN THE AREA
 /0218 TRANS 3I18 VINE/TENTH
 /0220 10-97 3I18
 /0243 RADIO 2D19, LT COYLE FROM MODESTO IS SENDING DET ELVIN THOMASON TO ASSI
 IN CASE
 /0252 RADIO 2D19, MODESTO MISSING PERSON REPORT NUMBER 78-06706
 /0253 RADIO 2D19, MODESTO TO TAKE A CVC 10851 ON THE VEHICLE
 /0254 RADIO 2D19, LT LARGE(FPD) ADVISES THEY WILL HANDLE BOOKING THE SUSPECTS
 D TAKING
 /0254 RADIO 2D19, THEIR STATEMENTS
 /0255 MISC 1K03, DISPATCH THE CORONER ADVISE HIM TO ARRANGE FOR DISPOSAL OF TH
 BODY
 /0304 ASSIST 1B07
 /0313 10-97 1B07
 /0315 MISC 2D19, REQ 10-21 DR NELSON, HAVE HIM 11-98 THIS LOC-POSS TO POST SURJ
 TONIGHT H
 /0321 MISC 2D19, CONF YOU REG; T.C.NELSON---EITHER NELSON WILL DO
 /0322 MISC 1K03, 10-21 486 9308 FOR W/C
 /0329 10-98 1Q31, SEE F/U 78-39-26
 /0334 MISC 1B07, ADV THE W/C TO MAKE THE PROPER NOTIFICATION
 /0339 MISC 2D19, T.C.NELSON WILL POST THE BODY AROUND ABOUT 10:00 2-9-78
 /0341 MISC 1K11, SEE F/U 78-39-26
 /0341 10-98 1K03, AST COMP
 /0342 TRANS 1I24 VMC
 /0342 MISC 1K11, 78-5819 FPD MR #
 /0343 MISC 2D19, CONT DET SNOW & SEE IF SUBJ STANKOWITZ HAS BN BOOKED
 /0343 10-98 1K11, SEE F/U
 /0346 MISC 2D19, NEG, SUBJ NOT BOOKED
 /0346 TRCOMP 1B07
 /0346 TRCOMP 1I24
 /0347 TRANS 3I18 VMC
 /0347 TRCOMP 3I18
 /0347 ASSIST 1K03 SGT GATTIE
 /0347 TRANS 1K03 VMC
 /0347 TRCOMP 1K03
 /0354 TRANS 1B07 VMC
 /0355 TRCOMP 1B07
 /0355 TRANS 2D19 HQ
 /0357 TRANS 2D19 FPD IB
 /0357 TRCOMP 2D19
 /0435 TRANS 2D19 HQ
 /0437 10-98 1K03, AST COMP
 /0440 TRCOMP 2D19
 /0507 TRANS 1I24 HQ
 /0509 TRANS 3I18 HQ
 /0511 TRCOMP 1I24
 /0512 TRCOMP 3I18
 /0514 RADIO 2D19, MODESTO REPORTS PARENTS OF HOMICIDE VICTIM HAVE BEEN NOTIFIED
 /0515 RADIO 2D19, MODESTO CASE ON STOLEN CAR AND KIDNAPPING IS 78-06747

LT. Coyle, (Modesto Pd) 

CC: Juvenile
CC: Coroner

Fresno, California
MISCELLANEOUS REPORT FPD 78-5819

78-1809
CASE NO.
78-39-26

REPORT MADE BY Patrol		LOCATION 427 W. Minarets #D	
CRIME CLASSIFICATION Possible Homicide			DATE 2-8-78
NAME OF VICTIM Theresa GREYBEAL		ADDRESS [REDACTED]	
REPORTED BY Billy BROWN		PHONE [REDACTED]	
RECEIVED BY W. PRINCE		TIME 2108	DATE 2-8-78
SUSPECTS 1 See Narrative		ADDRESS [REDACTED]	
2		PHONE [REDACTED]	
PERSONS INTERVIEWED 1 Billy BROWN		ADDRESS 427 W. Minarets #D	
2		PHONE [REDACTED]	

PERSONS ARRESTED
None

On 2-8-78, approximately 2116 hours, RO was dispatched to [REDACTED] regarding an out of control juvenile.

Upon arrival, RO contacted BILLY BROWN, age 14, who basically stated the following:

Approximately three days ago BILLY BROWN ran away from home and hitch hiked to the Sacramento area with several friends, including DOUG STANKEWITZ, age 23-24, and TINA TOPPING, age 19. On 2-8-78, these three subjects and MARTIN LEWIS, age 21, and a female known only as CHRISTIE or CHRISTINE, age 19-20, began hitch hiking back toward Fresno from the Sacramento area. In Modesto at an unknown K-Mart parking lot, the five subjects approached a white/red LeMans, approximately 1970-1972 model, which was just being unlocked by a female. The female, name unknown, is described as white, approximately 21 years, chubby, waist length red hair, wearing a tan jacket and blue slacks. Subject BROWN stated later he learned her first name as similar to "SABRINA".

As the five subjects approached the female and the vehicle, subject [REDACTED] 2-10-78

IF ADDITIONAL SPACE IS REQUIRED, USE CONTINUATION REPORT, FORM 1-3	INVESTIGATING OFFICER(S) W. Prince/ vk 2-10-78 1140
--	--

- TO RECORDS
- TO DISTRICT ATTORNEY
- TO PATROL
- TO DETECTIVE Lt. Magarian 2-9-78
- TO INVESTIGATOR
- TO SHERIFF

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.
78-39-26
78-1-100

-2-

DATE _____

70. CODE SECTION	71. CRIME Possible Homicide	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.) GREYBEAL, Theresa		74. ADDRESS	RESIDENCE	BUSINESS
		75. PHONE		

STANKEWITZ pulled out a .25 caliber automatic, shoved it into the female's side and forced her into the vehicle. The rest of the subjects then entered the vehicle and the five hitch hikers and the female hostage were driven from Modesto to Fresno's China Town. The vehicle was driven by TINA TOPPING. The kidnap occurred approximately 1600-1700 hours. Subject BROWN stated that approximately 2000 hours, 2-8-78, they arrived in Fresno's China Town and drove around trying to buy some heroin. Eventually the subjects stopped at an unknown location near "F" Street in China Town and STANKEWITZ and one other of the subjects got out of the vehicle taking the kidnap victim with them. A few minutes later subject BROWN stated he heard a shot and saw STANKEWITZ pointing a gun at victim's head and saw her fall to the ground. Subject BROWN stated that this all took place approximately twenty feet from where he was sitting in the vehicle. Subject BROWN'S description of the location of the shooting was very vague.

He basically stated that they went three blocks toward the west side on "F" Street from a bar called "Joy n Joy". They turned right and drove to a dead end approximately 1/2 - 1 block from some railroad tracks and the shooting occurred there. The body and victim's purse were left and the subjects drove around China Town for a short time, drove to Clovis area, and then subjects took BROWN to his home. STANKEWITZ told BROWN basically, "You better not tell because I'll take care of you too." BROWN further stated

REPORTING OFFICERS W. Prince		RECORDING OFFICER Same	TYPED BY vk	DATE AND TIME 2-10-78 1150	ROUTED BY
FURTHER ACTION	<input type="checkbox"/> YES	COPIES TO:			
	<input type="checkbox"/> NO	<input type="checkbox"/> DETECTIVE	<input type="checkbox"/> CII		
		<input type="checkbox"/> JUVENILE	<input type="checkbox"/> PATROL		
		<input type="checkbox"/> DIST. ATTNY.	<input type="checkbox"/> OTHER _____		
		<input type="checkbox"/> SO./P.D.	<input type="checkbox"/> OTHER _____		
REVIEWED BY				DATE	

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69 CASE NO.
78-39-26
78-1809

-3-

DATE _____

70. CODE SECTION	71. CRIME Possible Homicide	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.) GREYBEAL, Theresa		74. ADDRESS	RESIDENCE	BUSINESS 75 PHONE

subjects still had victim's vehicle and were enroute back to China Town to pull a robbery.

RO gave a broadcast of subjects and vehicle to Fresno Police Department and Fresno Sheriff's Department and turned further investigation over to FSD Det. McDANIEL.

REPORTING OFFICERS W. Prince	RECORDING OFFICER Same	TYPED BY vk	DATE AND TIME 2-10-78 1152	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> JUVENILE <input type="checkbox"/> DIST. ATTN. <input type="checkbox"/> S.O./P.D.	<input type="checkbox"/> CII <input type="checkbox"/> PATROL <input type="checkbox"/> OTHER _____ <input type="checkbox"/> OTHER _____	REVIEWED BY	DATE

December 7, 2019

Fresno County Sheriff's Office
P.O. Box 1788
Fresno, CA 93717

Re: Access to Public Records

TO WHOM IT MAY CONCERN:

This letter is to request access to records in your possession for the purpose of inspection and copying pursuant to the California Public Records Act (Government Code Section 6250 et seq.).

The information I seek to inspect is as follows:

1. any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding departmental processing, storage, retention of evidence in effect from 1972 - present, including any information related to whether officers mark or initial evidence, by law enforcement agents in the course of their employment.
2. any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding procedures for arrest and interrogation of suspects in effect from 1972 - present by law enforcement agents in the course of their employment.
3. any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding procedures for homicide investigations. in effect from 1972 - present by law enforcement agents in the course of their employment.
4. any and all policies on recorded interviews. in effect from 1972 - present by law enforcement agents in the course of their employment.
5. any and all policies on witness statements. in effect from 1972 - present by law enforcement agents in the course of their employment.

This request reasonably describes identifiable records or information produced therefrom, and I believe that no express provisions of law exempt the records from disclosure. Pursuant to Government Code Section 6253(b), I ask that you make the record(s) "promptly available," for inspection and copying, based on my payment of "fees covering direct costs of duplication, or statutory fee, if applicable." Accordingly, I hereby authorize up to \$50 for reasonable fees and kindly request that you mail the documents to my law offices at 2171 Francisco Blvd. E, Suite D, San Rafael, CA 94901 (or notify me as to any costs so I may arrange for payment or viewing and copying).

Fresno County Sheriff's Office
Public Records Act Request
12-7-2019
Page 2

If a portion of the information I have requested is exempt from disclosure by express provisions of law, Government Code Section 6253(a) additionally requires segregation and deletion of that material in order that the remainder of the information may be released. If you determine that an express provision of law exists to exempt from disclosure all or a portion of the material I have requested, Government Code Section 6253(c) requires signed notification to me citing the legal authorities upon which you rely and of the reasons for the determination, not later than 10 days from your receipt of this request.

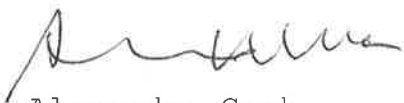
Government Code Section 6253(d) prohibits the use of the 10-day period, or any provisions of the Public Records Act "to delay access for purposes of inspecting public records."

To expedite compliance, I am sending a copy of this request to the office of your legal adviser.

If I can provide any clarification that will help expedite your attention to my request, please contact me at 415-457-8936 or Alexandraatty@wealthplusinc.com.

Thank you for your time.

Very truly yours,



Alexandra Cock

cc: Daniel C. Cederborg
Fresno County Counsel
2220 Tulare St. Fifth Floor
Fresno, CA 93721

Alexandra Cock
Attorney
Washington Bar #11775
2171 Francisco Blvd. E., Suite D
San Rafael, CA 94901
(415) 457-8936



Margaret Mims
Sheriff
Fresno County Sheriff's Office

December 16, 2019

Alexandra Cock
Attorney-Washington Bar #11775
Wealth Plus Inc.
2171 Francisco Blvd. E., Suite D
San Rafael, CA 94901

Email: Alexandraatty@wealthplusinc.com

RE: FSO PRA 19-153

Dear Alexandra Cock,

The Fresno County Sheriff's Office is in receipt of your Public Records Act Request pursuant to California Public Records Act California Government Code 6250, now internally identified as FSO PRA 19-153, for the information listed below:

1. Any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding departmental processing, storage, retention of evidence in effect from 1972 – present, including any information related to whether officers mark or initial evidence, by law enforcement agents in the course of their employment.
2. Any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding procedures for arrest and interrogation of suspects in effect from 1972 – present by law enforcement agents in the course of their employment.
3. Any and all training manuals or instructions; policies; protocol; memoranda; bulletins; notices; or procedures, however described, regarding procedures for homicide investigations. [sic] in effect from 1972 – present by law enforcement agents in the course of their employment.
4. Any and all policies on recorded interviews. [sic] in effect from 1972 – present by law enforcement agents in the course of their employment.
5. Any and all policies on witness statements. [sic] in effect from 1972 – present by law enforcement agents in the course of their employment.

Please be advised SB 978 requires all agencies to conspicuously post all of their current standards, policies, practices, operating procedures and their education and training materials on their website. This information will be located on our webpage at www.fresnosheriff.org after January 1, 2020.

As your request is very broad and the information you are requesting is voluminous, be advised your request will require some time to process, which will exceed 10 days. If there is something you are looking for specifically, please advise us of that information so we can narrow our search and expedite your request.

Dedicated to Protect & Serve

Law Enforcement Administration Building / 2200 Fresno Street / P.O. Box 1788 / Fresno, California 93717 / (559) 600-8400

Equal Employment Opportunity Employer
Petition for Writ of Habeas Corpus - EXHIBITS

Page 2071

Sincerely,



Lieutenant Frances Devins
Records Unit Commander
Fresno County Sheriff's Office
(559) 600-8617 Office
(559) 488-1899 Fax
frances.devins@fresnosheriff.org

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE

78-39-26 MR

78-1809-FSO

FPD 78-5819

Modesto Missing
Person #78-06706

DATE 2-8-78 Follow-Up

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE

This report pertains to a Follow-Up investigation of the report written by Deputy PRINCE on a possible PC 187.

2143 hours on 2-8-78 R/O was dispatched to ~~██████████~~ regarding the above traffic.

Upon arrival at the location, R/O contacted Deputy PRINCE. Deputy PRINCE was in a bedroom with a subject who identified himself as Billie BROWN ~~(4 0 62)~~.

When asked by R/O if he had any information on a possible PC 187, BROWN related the following: He (B. BROWN), Tina TOPPING, Doug STANKEWITZ and Marlf LEWIS were enroute to Fresno, California in an unknown year Oldsmobile vehicle white in color, from Sacramento, California. North of Modesto their vehicle was stopped at gun point by officers from an unknown police department. BROWN further related that he, STANKEWITZ, LEWIS and TOPPING were arrested then later released for a possible VC 10851. The (4) four of them hitchhiked a ride to Modesto where they were let off.

They walked to a shopping center near a K-Mart Store. BROWN related he was waiting inside the store. STANKEWITZ and T. TOPPING were outside observing victim and followed her to her vehicle. STANKEWITZ entered passenger side as TOPPING pushed victim inside the vehicle and entered after her on the driver side. BROWN and LEWIS also entered the vehicle. Teena TOPPING, while driving, asked victim if she had any money and if she did, give it to them.

REPORTING OFFICERS McDaniel	RECORDING OFFICER McDaniel 2D19	TYPED BY kj	DATE AND TIME 2-9-78 1255	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input checked="" type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input checked="" type="checkbox"/> DIST. ATTN. <input checked="" type="checkbox"/> CC FPD <input type="checkbox"/> OTHER	REVIEWED BY <i>Ala's office</i> DATE		

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-39-26

DATE _____

-2-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE

Victim advised they could have \$30.00, her watch, make-up and rings.

BROWN related there was an uneventful ride to Fresno until they stopped at the Joy-N-Joy Bar. At this location a female known to BROWN as "Chris" (Christina MENCHACA) was picked up. The five (5) of them drove with victim in victim's vehicle to the Olympic Hotel at 1435 Kern. The female Christina exited the vehicle to make an apparent purchase of Heroin then returned.

They drove around for a short time then stopped the vehicle at an unknown location on a dark street near a white fence. D. STANKEWITZ and victim exit the passenger side as M. LEWIS exit from the rear seat passenger side. The (3) three of them walked a few steps from the vehicle. Victim stated, "At least you could have dropped me off at a restroom." Victim was standing with her back slightly towards the two subjects outside the vehicle. BROWN related he observed STANKEWITZ aim with the right arm, holding the wrist with his left hand. A flame was observed as STANKEWITZ's hand was observed to jerk upwards.

BROWN stated at that time he requested that he be taken home. He was transported to his residence and let off. At his residence BROWN related the incident to Deputy PRINCE, who requested R/O. See PRINCE MR 78-39-26.

2231 hours 2-8-78 R/O transported B. BROWN to the Chinatown area (West Fresno) in an attempt to locate the scene of occurrence. The area was searched until 2323 hours.

REPORTING OFFICERS McDaniel	RECORDING OFFICER Same	TYPED BY kj	DATE AND TIME 2-9-78 1400	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input type="checkbox"/> DIST. ATTNY. <input type="checkbox"/> OTHER <input type="checkbox"/> SO./P.D. <input type="checkbox"/> OTHER		REVIEWED BY		DATE

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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.
78-39-26

DATE _____

-3-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE

R/O, with B. BROWN as passenger, were westbound Kern in front of the Olympic Hotel. A female was observed standing near the hotel doorway. Passenger BROWN, also observing the female, fell to the floor of R/O's vehicle. P/O asked BROWN if he was acquainted with the female. BROWN replied that she was with them when the woman was killed.

R/O u-turned the unmarked vehicle and advised assisting Fresno Police Department Unit Officers CALLAHAN and RODRIGUEZ #342. The vehicle submitted on an earlier broadcast as that belonging to a missing person was observed parked on the south side of Kern headed east. The assisting Fresno Police Department Unit and R/O parked behind the described vehicle ('71 white/maroon Cougar, license [REDACTED]). Douglas STANKEWITZ, Marlin LEWIS and Teena TOPPING were ordered out of the vehicle and placed in custody. Having been advised by one of the suspects that Christine MENCHACA was in an upstairs hotel room, R/O entered the hotel and located the suspect standing in the hallway. R/O asked the subject to identify herself and she stated her name was Christine. This subject was also placed into custody.

At the above point in time the case was turned over to Fresno Police Department Sgt. Ron DOWNS for process.

0158 hours 2-9-78 R/O was advised at Fresno Police Department that the body of a deceased female was found at Vine/Tenth. R/O was also advised the scene of occurrence would be processed by Fresno Sheriff's Department.

REPORTING OFFICERS McDaniel	RECORDING OFFICER Same	TYPED BY ki	DATE AND TIME 2-9-78 1410	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input type="checkbox"/> DIST. ATTNY. <input type="checkbox"/> OTHER <input type="checkbox"/> S.O./P.D. <input type="checkbox"/> _____		REVIEWED BY		DATE

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-39-26

-4-

DATE _____

70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

2004 hours R/O arrived at the scene. Also at the scene was Sgt. T. GATTIE, B-177, Fresno Sheriff's Department, Deputy G. ELLIOTT, A373, Fresno Sheriff's Department, I. Bureau PREHEIM, Fresno Sheriff's Department, Fresno Police Department Units were also at the scene, Detective L. BROWN, Patrolme RODRIQUEZ and CALLAHAN.

The scene of occurrence was a low income residential area, dimly lit. The deceased was discovered at the southeast corner of Vine/Tenth, lying on a sparsely grassy area. The victim appeared to be that of a white female adult, early 20's, with long red hair. Victim was dressed in blue denim type pants with an elastic waist band, blue socks and brown earth shoes. Victim had a brown canvas type purse draped over the left arm. Victims body was on the back with face upwards. Head was towards an easterly direction, but slightly northward. Victims left arm was outstretched at an approximate 90 degree angle. The right arm was alongside the body, palm downward approximately 6" away from the body. Victims legs were spread approximately 18" wide feet outward.

There was a turquoise ring on the left hand middle finger and also a turquoise ring on the left hand ring finger.

There appeared to be blood in front of and just below the left ear lobe.

Evidence located at the scene was a king size filter cigarette at the

REPORTING OFFICERS

McDaniel

RECORDING OFFICER

Same

TYPED BY

kj

DATE AND TIME

2-9-78 1420

ROUTED BY

FURTHER ACTION YES NO

COPIES TO:

DETECTIVE CII
 JUVENILE PATROL
 DIST. ATTN. OTHER
 S.O./P.D. OTHER

REVIEWED BY

DATE

136

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-39-26

DATE _____

-5-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS 75. PHONE

right side of victims head. At 3'10" from the west curb of Tenth and 55' from the north curb of Vine Street was an empty casing of a .25 caliber.

I. Bureau PREHEIM and I. Bureau DUTY processed the scene. See I. Bureau report for results.

Suspects in custody PG 836, 207, 211, 187, VC 10851:

STANKEWITZ, Douglas Ray 5-31-56

LEWIS, Marlin [REDACTED]

[REDACTED] California

MENCHACA, Christina Garcia [REDACTED]

TOPPING, Teena Elaine [REDACTED]

[REDACTED] California

BROWN, Billie [REDACTED]

REPORTING OFFICERS McDaniel	RECORDING OFFICER Same	TYPED BY kj	DATE AND TIME 2-9-78 1425	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> JUVENILE <input type="checkbox"/> DIST. ATTN. <input type="checkbox"/> S.O./P.D.	<input type="checkbox"/> GII <input type="checkbox"/> PATROL <input type="checkbox"/> OTHER	REVIEWED BY	DATE 138

DECLARATION OF GARRY SNOW

I, Garry Snow, declare under penalty of perjury the following, except as to those items below which I indicate to be based on information and belief. If called to testify, I would testify as follows:

1. I was employed as a police officer at the Fresno County Police Department (FPD) – 1967 - 2008. I was a homicide detective from 1972 - 1981. After 41 years, I retired as a Sargeant in 2008.

2. In early February, 1978, I was called from home to work on the Theresa Greybeal homicide case. The initial Greybeal investigation was done by FPD. The victim's body was found in Calwa, located in the County jurisdiction, so the Fresno County Sheriff's Department (FCSD) handled most of the investigation.

3. As requested, I went back to FPD Headquarters and interviewed all of the following suspects on the dates listed below, with other officers and Deputy District Attorney. The interviews took place at the FPD Detective Division, FPD Headquarters, Fresno, CA:

Billy Brown 2/9/78 1:35 am with Det. Brown, FPD

Marlin Lewis early morning 2/9/1978 with Det. Brown. FPD

Marlin Lewis 2/11/1978 with Det. Thomas Lean, FCSD & DDA James Ardaiz

Christina Menchaca 2/9/1978 with Det. Brown, FPD

Christina Menchaca 2/11/1978 with Det. Lean, FCSD & DDA James Ardaiz

Douglas Stankewitz early morning 2/9/1978 with Det. Brown, FPD

Teena Topping early morning 2/9/1978 with Det. Brown, FPD

Teena Topping 11:30 am 2/9/78 with Det. Brown, FPD

Teena Topping 2/11/78 with Det. Lean, FCSD & DDA James Ardaiz

4. All of the interviews were recorded using cassette tapes. Our usual practice was to take a suspect's statement, while recording it. I then dictated the reports and they were typed up. Very often, I would listen to their tape as I dictated my report. Then, we would book the tapes into evidence. In this case, I turned the tapes over to Det. Lean, FCSD. I knew Det. Tom Lean and

Det. Art Christensen very well because I worked a number of cases with them over the years.

5. I recall that the suspects Topping, Menchaca, Lewis & Brown all told basically the same version of events. They all confessed to a kidnapping, a murder and a robbery. I believed that they were being truthful. The only one that I remember that didn't confess to the shooting was Stankewitz. Stankewitz denied doing the shooting.

6. At the time of his arrest in the Graybeal case, due to their prior criminal activity, I knew the Stankewitz family. I recall that one Stankewitz was arrested for murder in Fresno Chinatown. When I worked the FPD gang operation, one of his brothers had been arrested 3 – 4 times, once for trying to shoot one of our officers. It was a pretty good-sized family. We had been out to the residence on SW 10th St. many times because when I was working the gang operation, their names kept coming up as being associates of some of the gang members. We were familiar with the violent tendencies of the family as a norm.

7. I remember going to trial and testifying in the People v. Stankewitz case.

8. Until now, I have never been contacted by any attorney, investigator or anyone representing Douglas Stankewitz.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed in Clavis, California on 2/20, 2020.


Garry Snow

FRESNO POLICE DEPARTMENT
FOLLOW-UP REPORT

DET Date of this report 2/9/78		Type of Original Report ASSIST FSO (PC 187, CVC 10851)		Case No. 78-5819	
Date when reported 2/8/78		Location of occurrence Vine & Tenth St., Calawa		Reporting Division Detective	
Name of person(s) reported (aka; POLOSKI) GREYBEAL, Theresa (WPA-22)		Description of property reported by type and Case No. LISTED BELOW			
Name Sex Age (IMA-21)		Filed on? Charge NO PC836,187,211A,207,10851VC		Date 2/7/78	
STANKEWITZ, Douglas Raymond		NO PC836,187,211A,207,10851VC		2/7/78	
LEWIS, Marlin Edwin I M 22		NO PC836,187,211A,207,10851VC		2/7/78	
MENCHUCHA, Christina M F 21		NO PC836,187, CVC 10851		2/7/78	
TOPPING, Teena Elain W F 19		NO PC836,187,211A,207,10851VC		2/7/78	
BROWN, Billy (4/9/63) M M 14		NO WIC602, PC836,187,211A,207, CVC 10851		2/7/78	

2/9/78, approx 01305 hours, Thursday

RO had contacted the above juv susp, Billy BROWN, at the Det Div. Detective MC DANIELS from the FSO had brought the juv susp Billy BROWN to the FPD. RO noticed the juv susp Billy BROWN was not in custody at that time and was sitting inside of Det Div. RO had taken Billy BROWN to the interrogation room where RO advised identified himself to susp Billy BROWN and advised him that he was considered as being a susp or involved in a prior PC 187. RO advised susp Billy BROWN of his constitutional rights off of the dept issued miranda card and susp Billy BROWN stated that he understood his rights and was willing to answer questions.

Susp Billy BROWN advised that he, along with a female Rosie WALKER, Teena TOPPING, Marlin LEWIS, and Douglas STANKEWITZ had all left Fresno together en route to Sacramento on that past Tuesday (2/7/78). Susp Billy BROWN stated that they had left Fresno in another white veh. He stated that he did not know if the white veh which they had left Fresno in was stolen or not. He stated that he did not know the owner of the white veh in which they had left Fresno in on the past Tuesday. Susp Billy BROWN advised that they had stopped at some unknown small town between Fresno and Sacramento, possibly on Tuesday, and that a police officer had pointed a gun at them and placed them in custody. Susp Billy BROWN advised that the Sheriff who had pointed the gun at them in this small town and had later stored the white veh, may have been driving. He stated that the unknown possible sheriff had let them go after storing the veh.

Susp Billy BROWN stated that the following morning, he and his friends had gotten out and had gotten over to a donut shop, located where they had been

Date of this report 2/9/78		Initial Value \$ twa	
Reported by CAPT. MOCKALIS		Reviewed by SNOW, G. #207 / BROWN, L. #189	

FOLLOW-UP REPORT

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Case No.

78-5819

2/3/78

GREYBEAL, Theresa (AKA: POLOSKI)

ASSIST FSO

(PC 187, CVC 10851)

stopped.

Susp Billy BROWN advised that he, along with Douglas STANKEWITZ, Marlin LEWIS, and Teena TOPPING had hitchhiked together from Sacramento to Modesto. Susp Billy BROWN advised that they had all gone over to the freeway in Modesto, however were having trouble catching a ride or hitchhikeing. Susp Billy BROWN advised that his friend Douglas STANKEWITZ had told them to just ~~xxx~~ forget it, referring to trying to hitch a ride. He stated that it was raining rather hard and nobody would stop to pick them up. Susp Billy BROWN advised that they had gone inside a store while in Modesto and he noticed that Douglas STANKEWITZ had a piece, or a gun, in his waist area. Susp Billy BROWN advised that they were sitting in a K-Mart store while in Modesto. Susp BROWN advised that Douglas STANKEWITZ had a 25 caliber automatic. He stated that STANKEWITZ carried this gun in a little carrying case or holster.

Susp Billy BROWN advised that Douglas STANKEWITZ had told Teena TOPPING, at that time, that when the broad, referring to the vict, gets into her car, push her over and unlock the other door to let them into the vict's veh. Susp BROWN stated ~~xxx~~ that he had heard susp Douglas STANKEWITZ tell Teena TOPPING that after they had were in the car he would pull the gun on the vict. Susp BROWN advised that ~~xxx~~ he did hear susp STANKEWITZ tell Teena TOPPING what to do in regards to jumping the vict or kidnapping her. Susp BROWN confirmed that he heard STANKEWITZ tell susp TOPPING to push the female vict over in the car and unlock the other door so he could get into the car and point the gun at her. Susp Billy BROWN advised that he just wanted a ride back home so he decided to go along with it. Susp BROWN spoke up and stated that Teena TOPPING had driven the vict's veh after they had jumped the vict. He stated that Douglas STANKEWITZ had the gun pointed at the vict while they were in the car after the vict had been jumped. He stated that susp Marlin LEWIS had a knife pointed at the female vict after the vict was jumped in the K-Mart parking lot. Susp Billy BROWN advised that he had observed Teena TOPPING following the female vict and push her down on the seat and had the other above susps in the incident on the K-Mart lot. Susp BROWN described the vict as haveing long red hair, blue eyes and a gray type of sweater jacket. He stated that the susp had another sweater underneath the sweater jacket. He described the vict's veh as being a white over maroon veh, possibly a Lamons. Susp BROWN advised that he had observed the female vict to exit the K-Mart store and walk towards the veh which was on the lot. Susp BROWN advised that they had called him after the vict had been jumped and that he had gotten into the vict's veh. Susp BROWN advised that they had then driven the female vict from Modesto to Fresno. He stated that they had stopped at a bar in Chinatown.

Susp BROWN confirmed that he had seen STANKEWITZ point a 25 caliber hand gun at the female vict after she was jumped upon entering the veh. He stated that Marlin LEWIS had the knife pointed at the vict at that time in the veh. Susp BROWN advised that the susps LEWIS and STANKEWITZ had yelled at the female vict to shut up and that they wouldn't hurt her. He stated that the

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ASSIST FSO

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female vict was very afraid and that she was crying. Susp Billy BROWN advised that Teena TOPPING and the other susps had demanded the vict's property. Susp BROWN stated that he had observed the above vict remove \$30.00 from her purse and give it to susp Teena TOPPING. Susp BROWN stated that Teena TOPPING had definitely demanded the money and property from the female vict. Stated that the female vict had also given Teena TOPPING her watch.

Susp Billy BROWN stated that after they arrived in Chinatown in Fresno, that they had stopped at possibly the J & J Bar. He stated that this is the bar where they had picked up female susp ~~CHRISTINA~~ Christina MENCHUCHA. Susp BROWN stated that when they stopped the vict's veh in front of the bar, they had all waited in the female vict's veh with the female vict while the susp Teena TOPPING had gone into the bar. Susp BROWN advised that Teena TOPPING had gone into the bar and gotten the female susp Christina MENCHUCHA. Susp BROWN advised that after picking up the female susp Christina MENCHUCHA they had gone over to the hotel on Kern St. possibly to get some heroin. RO was advised by susp BROWN that Teena TOPPING, Christina MENCHUCHA, and Douglas STANKEWITZ had gotten out of the vict's veh and they stopped a short time at the Olympic Hotel. He stated that they had gone up into the Olympic Hotel for a very brief period of time. Susp Billy BROWN stated that he and Marlin LEWIS had stayed in the vict's veh with the vict at that time. Susp BROWN advised that STANKEWITZ, TOPPING, and MENCHUCHA were up in the Olympic Hotel for possibly 5 or 10 minutes. He stated that they had come back to the vict's veh a short time later and he did not observe them with any heroin in their possession. Susp Billy BROWN advised that he just kind of sat back while they had started driving around in the vict's veh. Susp Billy BROWN advised that they had driven the female vict out in the X Calawa area. He stated that they had taken the female vict out of the veh at an intersection near a white picket fence. Susp BROWN advised that Teena TOPPING had been driving the veh and that she was the one who stopped at the intersection in Calawa. Susp BROWN advised that he was seated on the back seat of the vict's veh. He stated that they did not mention what they were going to do when they stopped at the intersection in Calawa. RO asked susp BROWN if he was sitting in the front seat when they stopped the veh and he advised that Teena TOPPING was driving and the vict was seated on the front seat along with susp Douglas STANKEWITZ. He stated that Marlin LEWIS was a passenger in the back seat. RO asked susp Billy BROWN who had gotten out of the vict's veh when they had stopped at the intersection in Calawa. He stated that the vict had gotten out along with susps Marlin LEWIS and Douglas STANKEWITZ. Susp BROWN advised that he had looked over to where the susps were standing with the vict. He stated that the female vict wasn't really looking right at the 2 susps ~~and~~ when she was shot. Susp BROWN stated that she had heard the female vict make a statement to effect "I WISH THERE WAS A GAS STATION AROUND HERE, I'VE GOT TO GO TO THE BATHROOM". Susp Billy BROWN stated that he then observed Douglas STANKEWITZ to point the 25 caliber hand gun at ~~her~~ the vict's head and shoot her. He stated that the vict had fallen at that time. Susp Billy BROWN stated that

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GREYBEAL, Theresa (AKA: POLOSKI)

ASSIST PSO

(PC 187, CVC 10851)

just after the susp STANKEWITZ had shot the female vict in the head he had stated in a ~~flax~~ bagy manner "MAN DID I DROP HER OR DID I DROP HER". He stated that susp Marlin LEWIS at that time had said words to the effect "YOU DROPE HER MAN" and both had started laughing. Susp Billy BROWN confirmed that he had witnessed susp STANKEWITZ shoot the vict in the head and then make a bragging statement about it and then both STANKEWITZ and LEWIS had started laughing. Susp BROWN advised that the female vict was not resisting or ~~do~~ doing anything wrong at all. Susp BROWN advised that the female vict was standing right on the corner when the susp STANKEWITZ had shot her in the head. He stated that there was a whit picket fence near the ~~l~~ corner where the vict was shot. Susp BROWN stated that it appeared to him as though the female vict was not looking at the susps and was possibly looking down the roadway when the susp STANKEWITZ shot her. Susp BROWN stated that the female vict had dropped immediately after STANKEWITZ had shot her in the head with the gun. Susp BROWN advised that STANKEWITZ had only shot the vict once and he thought it was in the head area. He stated that the susp STANKEWITZ had shot her at close range. Susp BROWN advised that both STANKEWITZ and LEWIS joked a lot after they had killed the vict. RO asked susp BROWN what they had done with the vict's purse and he stated that they had left the purse ~~with the vict~~. He stated that susps STANKEWITZ and LEWIS had mentioned later, after they had left, that that's where they made there mistake by leaving the vict's purse with her. Susp BROWN advised that STANKEWITZ and LEWIS had gotten back into the vict's veh after killing the vict. He stated that susp Teena ~~TOP~~ TOPPING had continued to drive the vict's veh after the killing occurred. He stated that the 2 female susps, Teena TOPPING and Christina MENCHUCHA had also seen the killing occurre. Susp BROWN stated that he ~~did~~ not know the susp STANKEWITZ was going to kill the vict. Susp BROWN ~~advised~~ advised that after he had observed the shooting he was somewhat scared and he had told Teena TOPPING to take him home.

Susp BROWN stated that he, along with Christina MENCHUCHA, Teena TOPPING, Douglas STANKEWITZ, and Marlin LEWIS had all left in the vict's veh and had driven to Clovis. He stated that he had heard the susp ~~STANKE~~ STANKEWITZ mention something about wanting to get some more 25 bullets. Susp BROWN advised that after stopping in Clovis for a ~~brief~~ brief time, the other susps had taken him to his home, located in Pindale. He stated that after he was dropped off he had telephoned the detective from the Sheriffs office and told him what had occurred. Susp Billy BROWN stated that he had gone with the Police officers and cruised up and down the streets to see if they could locate the vict's body. Susp BROWN advised that he had pointed out to the police officer ~~the~~ the location of the vict's veh near the hotel in Chinatown. He stated that the veh was occupied at that time and the officer had arrested the susps.

Susp BROWN advised that he had looked around with the other officers, however they were not able to locate the vict. He stated that the vict apparently was located later in Calawa.

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2/9/78

GREYBEAL, Theresa (AKA: POLOSKJ)

ASSIST FSO

(PC 187, CVC 10851)

Susp BROWN advised that he had observed the 2 female susps, MENCHUCHA and TOPPING walking towards the stairway of the Olympic Motel. He stated that he did not want the officers to stop near the susp veh which was occupied by LEWIS and STANKEWITZ. He stated that the officers had stopped and placed the male susps LEWIS and STANKEWITZ into custody. Susp Billy BROWN stated that he had yelled at the officers who were with him to get those 2 girls, referring to susps MENCHUCHA and TOPPING. He stated that he had told the same information to detective MC DANIEL from the f FSO.

Susp BROWN confirmed that he had seen STANKEWITZ and LEWIS pointing weapons at the vict after they had jumped the vict in the car. He stated that the female, Teena TOPPING had gotten money from the vict and also the vict's watch. Susp BROWN stated he did not know exactly where susp STANKEWITZ had fired the 25 automatic. He stated ~~that~~ that susp STANKEWITZ had a 25 automatic prior to them leaving Sacramento together.

It should be noted that after RO questioned susp Billy BROWN he was then turned over to detective MC DANIEL from the FSO. Susp Billy BROWN was placed in custody a short time later for the above listed charges.

FRESNO POLICE DEPARTMENT
INVESTIGATION DIVISION

CAPT. MOCKALIS
SNOW, G. #207 / BROWN, L. #189

2/9/78 twc

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***HOT**

Date of this report 7-8-78		Type of Original Report (assist FSO of) MURDER (MV) SECURED VEH/RECOVERED			Case No. 78-5819
Date crime occurred 7-2-78		Location of occurrence 1100 ST JAMES ST		Reporting Division DISTRICT 12	
Victim (as listed on orig. report) WPA22 CONYERAL, Theresa ANN BOLOS		List connecting property report(s) by type and Case No.			
Persons interviewed (not on orig. report) 1. 2. 3. 4. 5.		Race - Sex - Age		Residence Address	Res. Phone
Persons arrested IM21		Race - Sex - Age		Filed on?	Charge
1. STANKIEWITZ, Douglas Raymond				No	PC836, 187, 211a, 207, CVC10851
2. LEWIS, Marlin Edwin IM22				No	PC836, 187, 211a, 207, CVC10851
3. MENCHUCHA, Cristina MF25				No	PC836, 187, CVC10851
4. ROBBING, Teena Elaine IF19				No	PC836, 187, 207a, 211a, CVC10851
<input checked="" type="checkbox"/> Cleared		<input checked="" type="checkbox"/> Closed		<input checked="" type="checkbox"/> Incorrectly classified - change to:	
				<input checked="" type="checkbox"/> Unfounded	
				<input checked="" type="checkbox"/> Continued	

(1) Explain investigation progress and status. (2) When victim and/or witnesses listed in crime report have not been interviewed, give reason. (3) If all or no property recovered so state. If partial recovery, list property recovered, description and value as it appears on original stolen or lost report.

PERS ARRESTED (contd): **BROWN, Billy MM14, filed on NO, WIC602, PC836, PC187, 211a, 207, CVC10851.**

SUSPS: **STANKIEWITZ, Douglas Raymond IM21, 6'0, 190. brn eyes, drk brn hair, wearing whi athletic T shirt, blu cord pants, blk & whi shoes. (In FCJ PC836, 187, 211a, 207, CVC10851)**

LEWIS, Marlin Edwin IM22, 5'3, 122, brn/blk, DO [redacted], wearing blu jacket with red patch, blu T shirt, blu levis, tan suede shoes, add 1410 "E" #3, SACIO, (In FCJ PC836, 187, 211a, 207, CVC10851).

MENCHUCHA, Christina MF25, 5'1, 130, brn/blk, DOB [redacted], add [redacted], 266-7354, also stays at OLYMPIC MOTEL #5. (In FCJ PC836, 187, CVC10851).

ROBBING, Teena Elaine, IF19, 5'1, 130, brn/blk, DOB [redacted], add [redacted], wearing blu levis, pink pullover sweater, blu thongs. (In FCJ PC836, 187, 211a, CVC10851, PC207).

BROWN, Billy, MM14, 5'4, 130, brn/blk, DOB [redacted], add [redacted] MINNESOTA, [redacted] (In FCJ WIC602, PC836, 187, 211a, CVC10851, PC207).

RELATED CASES:

If additional space is required, use Continuation Report, Form 3-C

Supervisor	Time Called In	Time Typed	By	TOTAL VALUE \$
Approving Sgt. ROCKWELL	Officer(s) Reporting	1210		
	Review Sgt. 277/ROCKWELL			
			Coded By	Filed By
			Xeroxed By	Total Copies

FORM 3.10

FOLLOW-UP REPORT

2-9-78

GRYBEAL, Theresa
AKA POLASKISTOLEN/RECOV VEH
ASSIST FSO.

MODESTO PD MISSING ADULT CASE 78-06706.

FCSO MURDER CASE 78-39-26.

On 2-8-78 approx 2325 hrs ROs were contacted via phone by SGT R. DOWNS concerning the prior poss murder. SGT DOWNS advised ROs that at approx 2108 hrs that date the FCSO had received a phone call concernign a poss out of control juv at [REDACTED] MINARETS "D" in PINEDALE. Deputy PRINCE of the FCSO was dispatched to [REDACTED] where he contacted the juv subj Billy BROWN. The juv susp Billy BROWN had related to Deputy PRINCE of the FSO that he had ben in company with several other susps earlier that date when they had kidnaped a female from MODESTO CA & driven her to the FRESNO area. The juv Billy BROWN stated that th susps he was with had shot & killed th-e female they had kidnapped from MODESTO & had left her body near some RR tracks poss in the FRESNO area. Refer to FSO Murder case 78-39-26 for further details.

Deputy PRINCE had taken a brief statement from the juv susp Billy BROWN & th had called for a Det MCDANIELS to the scene of [REDACTED] PINEDALE concernign the info received from the juv. Det MCDANIELS from the FSO had talked to the juv Billy BROWN briefly & then contacted the FPD approx 2149 hrs to have them meet them at the MINARETS Add.

SGT DOWNS advised that LT PACKARD from the MODESTO PD (526-2501) had been contacted approx 2210 hrs. LT PACKARD from the MPD had advised that the dept did receive a missing pers report (Case nr 78-06706) on the above listed female vict earlier that date. The victs parents, Gerald POLASKI add [REDACTED] MODESTO [REDACTED] had last seen the vict that date approx 1700 hrs at which time shewas enroute to a KENTUCKY FRIED CHICKEN shop in MODESTO. The parents advised that the vict did not have a habit of taking off & failing to return without telling them. The [REDACTED] MPD had furnished a desc of the above missing female vict. They had also given a desc of the victs stolen veh as being a whi/burgundy [REDACTED]. This desc of the missing female in her veh matched the desc supplied by the juv susp Billy BROWN.

The male juv, Billy BROWN, had been transported to the area of CHINATOWN where he was able to point out the above victs veh in the [REDACTED].

Assisting Off CALLEHAN & RODRIGUEZ had spotted the above victs stolen veh at approx 2304 hrs. The vict veh was occupied by 2 male susps (Marlin LEWIS & Douglas STANKEWITZ) at that time it was discovered. Both male susps (LEWIS & STANKEWITZ) were arrested at that time. It should be noted that a knife & a .25 cal automatic were found inside the victs veh at that time. Refer to additional follow-up reports for details. RO was advised hat the female sus Teena [REDACTED] was also arrested after she had exited the susp veh. A second female susp, Christine MENCHACA was arrested in the OLYMPIC MOTEL, [REDACTED]. Refer to additional follow-up reports covering the circumstances surrounding the arrest.

After the above 4 adult susps were arrested, they were separated & transported to the FPD. ROs had responded to Hq where they were again given a brief account of the incident by SGT R. DOWNS. ROs were advised that the victs

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Case No.

72-5819

2-9-78

GREYBEAL, Theresa
ANA POLOSKISTOLEN VEH/RECOV
ASSIST FSO

body had not been found as yet.

Shortly after ROs arrival to Hq, ROs were advised that the victs veh had be towed to the ramp of the FPD in order to be photographed & processed by the IB. Refer to IB Tech BONSTEELS follow-up report for details & also for various articles of evidence which was recovered. After the victs veh was processed it was later stored in sealed at the FCSO Underground garage as evidence.

ROs first contacted female susp Teena Elaine TOPPING at the Det Div. ROs ha IDd themselves to the female susp TOPPING & advised her that she was co nsi ered a poss susp in the prior auto theft & also assault. ROs advised susp TOPPING of her constitutional rights from the dept issue Miranda card. She stated that she understood her rights & was willing to answer questions. Susp TOPPING first stated that earlier that night she had been just riding around in a veh with some of her friends. Susp TOPPING stated that she had just been arrived in FRESNO from SACTO. She stated that she & her Susp Marl LEWIS had just both come from SACTO earlier that day together. She also ad vided that susp Doug STANKEWITZ had also come to FRESNO from SACTO that day with them. Susp TOPPING at first was somewhat hesitant in answering questi on & stated she was a little afraid & didnt know exactly what to tell RO. ROs suggested to susp TOPPING that she be completely truthful concerning what ha pped earlier that night. Susp TOPPING advised that they had hitchhiked fror SACTO to MODESTO. RO asked susp Teena TOPPING where they had gotten t he veh. She atsted that they had gotten the veh (1971 [redacted] [redacted]) in MODESTO. RO asked susp TOPPING to tell him how that they were able to get the victs veh. Susp TOPPING stated that she along with susps Douglas STANK WITZ & Marlin LEWIS were able to get the car by jumping some female. She stated that they had jumped the female in MODESTO. Susp TOPPING desc the vict as having long red hair & blu eyes. Susp TOPPING stated that the vict veh had been aprked on the parking lot in front of K-MART in MODESTO. She stated this is where they had jumped the female vict. Susp TOPPING stated that the female vict apparently had ben shopping inside K-MART for something. Susp TOPPING at first had told ROs that the only people with her at the time of the kidnapping was Douglas STANKEWITZ & Marlin LEWIS. At first she did n mention the juv susp Bobby BROWNS name. Susp TOPPING went on to state that she had helped the other 2 susps by jumping the vict. RO asked her to expla in what she had done or meant by jumping the vict. Susp TOPPING stated that sh e had pushed the above female vict down inside her veh just after the vict ha d entered it. She stated that after pushing the vict down she had gotten som e what on top of her & opened up the door for the male suspe (STANKEWITZ & LEWIS). Susp TOPPING stated that the 2 susps LEWIS & STANKEWITZ had gotten into the victs car at that time just after she pushed & jumped on the vict. RO asked susp TOPPING which one of the susps had the gun at that time & she at first had stated "I DONT KNOW." RO asked susp TOPPING what had happened after they had jumped the above vict. She stated that they had taken the vict with them & driven to FRESNO. Susp TOPPING stat-d that they did not have to tie the female vict up or hold her down while they drove from MODES T to FRESNO. She later admitted that they had threatened the female vict in that the vict was afraid. Susp TOPPING stated that after arriving in FRESNO they had driven in the downtown area for a while. Susp TOPPING desc the vi

CONTINUATION REPORT

Petition for Writ of Habeas Corpus - EXHIBITS

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Case No.

78-5810

2-9-78

GREYBEAL, Theresa
AKA POLOSKISTOLEN/REC VEH
FSO ASSIST.

veh as being a Cougar drk red or burundy in color. Susp TOPPING was somewhat evasive at first & stated that they had just merely dropped the female vict off somewhere after arriving in the FRESNO area. Susp TOPPING at first had told ROs that she did not know that the vict had been shot. Susp TOPPING advised ROs that she was not familiar with the streets in FRESNO & did not know exactly where they had dropped off the vict. Susp TOPPING was not specific as to where they had dropped off the above vict. She stated that it was only somewhere on the W side of town. RO asked susp TOPPING who was in the victs veh when they had dropped off the vict & she had stated she along with Douglas STANKEWITZ & Marlin LEWIS. Moments later she stated that female susp Christina MENCHUCHA was also in the victs veh when the vict was dropped off. Susp TOPPING advised that the female susp Christina MENCHUCHA was not in the victs veh or with them when they had jumped the vict in MODESTO. She stated that they had picked up Christina MENCHUCHA after arriving in FRESNO. Susp Teena TOPPING had told ROs that after they arrived at FRESNO they had stopped at a bar & picked up Christina MENCHUCHA. She advised that they had stopped the victs veh on TULARE ST where the bar was located. She advised the bar was on TULARE poss between "E" & "F" St. Susp TOPPING advised that the female vict was still inside the veh when they had stopped in the Chinatown area to pick up Christina MENCHUCHA. Susp TOPPING stated that the above vict was still in the car at that time & had not been shot or injured. Susp TOPPING advised that she had gone into the bar herself in order to use the bathroom & on entering the bar she had obs Christina MENCHUCHA. Susp Teena TOPPING stated that the female susp Christina MENCHUCHA had left the bar with her & had entered the victs veh. She stated that the vict was still inside her car with the other susps LEWIS & STANKEWITZ.

RO asked susp TOPPING who had the gun. Susp TOPPING was evasive & stated that she did not know who had the gun & that she did not see them handing it back forth. Susp TOPPING had then spoken up & stated "I DONT KNOW WHO THE GUN BELONGED TO."

Susp TOPPING was evasive in answering questions & advised that they had just driven around for a while & had stopped their veh at some unk location & merely dropped the above vict off. She stated that she did not hear any gunshot.

RO attempted to point out to the susps Teena TOPPING at that time the seriousness of the incident, & problem. RO advised her that the female vict had not been found as yet & that they needed her help in attempt to try & locate the vict if the vict was shot or injured seriously. RO pointed out to susp Teena TOPPING that if she was able to help find the female vict that there might be a chance that the vict would still be alive. RO pointed out to susp TOPPING that the time element was very important especially if the vict was still alive somewhere. Susp TOPPING stated that she did not know the name of the street however they had dropped the vict off near the tracks on the W side of town. Susp TOPPING first advised ROs that they had dropped the female vict off near the tracks on the other side of ANDY'S BAR located in the 2300 blk of S "C". She stated the vict was dropped off near the RR tracks past the ANDY'S BAR. Susp TOPPING stated that the vict was not left right by the RR Tracks but on the other side of them referring somewhere past the ANDY'S BAR. Det Larry BROWN had then left the interview in an effort to

CONTINUATION REPORT

Petition for Writ of Habeas Corpus - EXHIBITS

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78-5819

2-9-78

GREYBEAL, Theresa
AKA PODOSKI

STOLEN/RECOV VEH
ASSIST PSO.

proceed to search the area around the tracks near the ANDYS BAR in the [REDACTED] [REDACTED] Susp TOPPING at first continued to be evasive & stated that she did not know exactly where the vict was shot at on her body.

During further questioning susp TOPPING admitted that she had helped previously to jump the vict by pushing her & pulling her down while the other suspects entered the victs veh. Susp TOPPING stated that the vict had mentioned to them later that she had just come from her fathers add & was supposed to pick up something or go shopping. RO asked susp TOPPING if the vict had a purse with her & the susp TOPPING had stated "I THINK SO." RO asked susp TOPPING if she knew what happened to the purse & she had stated "NO" at first. RO asked susp TOPPING if one of the male suspects in the veh had taken the victs purse & she had stated "NO." The susp TOPPING had then spoken up & stated "MAYBE THE PURSE IS WITH HER."

Susp TOPPING later advised that susp Douglas STANKEWITZ had come down from SACTO to MODESTO the previous day. susp TOPPING stated that he & Marlin LEWIS had come down the following day & met susp STANKEWITZ in MODESTO. RO asked susp TOPPING if STANKEWITZ or LEWIS was her boyfriend. She stated that STANKEWITZ was just a real good friend of hers. Susp TOPPING advised that they had gotten from SACTO to MODESTO by hitchhiking. She advised that they had just met up with STANKEWITZ in MODESTO near the K-MART Store. Susp TOPPING indicated that the reason why they had jumped the vict was to steal or take her veh. She advised that they were tired of walking & nobody would give them a ride so they decided to take a veh. Susp TOPPING advised that the vict had come out of the K-MART store & that she had followed the vict to her veh. Susp TOPPING stated that her friends STANKEWITZ & LEWIS were also nearby waiting for the vict to get into her veh. Susp TOPPING advised that after the vict had started to get into her car she had shoved or pushed the vict & then opened the door so the other suspects could get inside. She advised that they had then left together in the victs veh. Susp TOPPING advised that she had pushed the vict over on the front seat after following the vict to her veh. She stated that she did not have any weapons on her pers at that time. Susp TOPPING advised that she & the other suspects had told the vict to be quiet for they just wanted to use her car & that they would give it back to her later. She stated that they then drove from MODESTO to FRESNO. She advised that they had driven down to the CHENATOWN area & this is when they had stopped & she had gone into the bar & met Christine MENCHUCHA. Susp TOPPING advised that her friends STANKEWITZ & LEWIS had stayed in the victs veh with the vict while she had gone into the bar & met Christina MENCHUCHA. Susp TOPPING advised that after she & Christina MENCHUCHA had gotten back into the car they had just driven around for a while & she did not hear her friends LEWIS & STANKEWITZ mention anything about what they planned on doing with the vict. RO asked susp Teena TOPPING who was driving the victs veh after they had picked up Christina MENCHUCHA. Susp TOPPING stated that she was the one who was driving the victs veh at that time. RO asked her how she knew when to stop the veh when the vict was dropped off.

RO asked susp TOPPING who had gotten out of the car with the vict when she stopped it. Susp TOPPING at first was very evasive & advised that she did not notice for she was just looking straight ahead. She mentioned that she

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AKK/POLSKI

GREYBEAL, Theresa
KZ/TT/VA

STOL/RECOV VEH
ASSIST FSO

did not want to look. She advised that she did not want to even see what was happening.

RO advised susp TOPPING that it was important to find out who had gotten out of the car with the vict when she stopped. RO advised TOPPING that he felt that she was not the pers who had actually pulled the trigger on the vict. Susp TOPPING had spoken up & stated "I KNOW I DID NOT." Susp TOPPING at first was very evasive & stated that she did not know her friends even had the gun & she did not hear a shot. She stated that she had the radio turned up loud when she stopped the car. Susp TOPPING just mentioned that the vict did not get back into the car after she had stopped. She stated that she had just stopped for a few moments when the vict had gotten out of the car. Susp TOPPING at first stated that she could not remember or did not see which one of the susps had gotten out of the car with the vict.

Moments later susp TOPPING stated that everybody who was in the car previously had gotten out when the vict had exited the veh when she stopped. Susp TOPPING mentioned that everybody had gotten out of the car including susp STANKEWITZ, Christina MENCHUCHA, & Marlin LEWIS. a-Christina-MENCHUCHA. Susp TOPPING stated that she was the only one who waited in the veh when the vict had been taken out of the car. She advised that they were out of the car for just a brief moment.

Susp TOPPING stated that nobody made any statements after all of them had gotten back into the car except for the vict when she stopped. Susp TOPPING had told RO that she did not know the vict had been shot for she did not hear a gunshot.

Susp TOPPING had told RO that after they had gotten back into the car they just rode around for a while & then stopped in Chinatown near the Hotel & this is where the Police had arrested them. Susp TOPPING stated that she had just gotten out of the veh & was going to walk up to the hotel to see a friend of Chris MENCHUCHA's when the officer had stopped & told her that she could not go upstairs. She stated that she had gone back over to the vict's veh & this is when the officers had placed them into cust. RO asked susp TOPPING what time she thought they had picked up the vict in MODESTO (END OF TAPE #1).

Susp Teena TOPPING had estimated that they had jumped the above vict sometime around 430PM or 5PM while in MODESTO. Susp TOPPING had made the statement to RO that she had told the vict to be quiet after she jumped & pushed her into the car. She stated that she did not tell the vict that she was going to kill her. Susp TOPPING advised that she was in a sober condition at the time of the incident & that she was also in a sober condition at the time of the interview. She again stated that she understood all of the rights which were read & explained to her. She stated that she agreed to make a statement in that no promises had been made to her. RO advised susp Teena TOPPING that she would be placed in the holding cell & detained for a few moments. RO had walked the susp Teena TOPPING down to the ID. RO continued to express to the susp TOPPING how important it was to try & find the female vict in case the vict might still be alive. Susp TOPPING at that time had stated that she

CONTINUATION REPORT

Petition for Writ of Habeas Corpus - EXHIBITS

FRESNO POLICE DEPARTMENT
CONTINUATION REPORT

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Case No.

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GREYBEAL, Theresa
AKA POLOSKI

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ASSIST FSO.

would attempt to help by trying to show ROs where they had dumped the vict in this case. She agreed to accompany RO in a Police veh & attempt to find the location of the injured vict. Susp TOPPING had directed RO down RR Ave & then e/b on CHURCH from the RR Tracks. She had then directed RO in a S d ection after crossing the tracks & had led RO into the CALWA Area. Susp TOPPING Had told ROs that RO at that time while driving in the Police veh that the vict should be laying on a corner near a picket fence. Susp TOPPI had directed RO to the intersection of TENTH & VINE in CALWA & pointed out vict who was lying at the intersection. The vict was obviously deceased ap ently from a gunshot wound. Susp TOPPING Ha dspoken up & stated tat this is the same location where they had gotten the vict out of the veh & where she was shot. She had told RO that the vict was shot after she was removed from the veh at TENTH & VINE. She stated the vict was not shot in the veh & that she was shot after being removed from the veh at the intersection.

Det BROWN & SO Det MC DANIELS had arrived at the scene after RO had found t victs body. Refer to their reports for additional details & desc of the vi It should be note d that the vict purse was lying next to her body & this w mentioned previously by susp TOPPING when she stated that the vict shouls still have her purse.

Susp TOPPING had told RO during the interview that she had not stolen any prop from the vict this case.

RO will attempt to question susp TOPPING In more detail at a later time.

After questioning susp TOPPING RO had returned to the DetDiv where he quest ioned susp Christina MENCHUCHA, Marlin LEWIS, Billy BROWN, & Douglas STANKE WITZ.

Later on 2-9-78 RO was contacted by Det T. LEAN who was assigned to do foll up investigation concerning this homicide. RO had ggiven Det LEAN a tape recorded statement of susp Marlin LEWIS confestion & also Christina MENCHUC statement. Det LEAN stated that he would have atypist at the FCSO type the tape recorded statement in report form.

Will continue.

SUPVR: CAPT MOCKALIS

RO: G. SNOW 207/L. BROWN 189

2-9-78 pyj.

Seacy

John Kaprius, Aunt Hatty

FEB 13 4 17 PM '78

John Kaprius

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO
SITTING AS JUVENILE COURT

In the Matter of the Minor:

BILLY BOB BROWN
Name
427 West Minarets, #D
Address
Pinedale, California 93650
City and State
Age 15 Date of Birth April 9, 1962

Action No. 46742-A
D.A. No. 78-1885
PETITION

The undersigned petitioner is informed, believes and therefore alleges:
The above named person is (or was, as of the date of the commission of the alleged act) under eighteen (18) years of age:
This person comes within the provisions of Section(s) 602 of the Welfare and Institutions Code, as follows:

As attached and is to be considered a part of this petition.

[Faint signature and stamp]

Bill Brown Lorraine Brown
Father Mother Guardian/Relative
Same as minor Same as minor
Street Address

City/State/Zip Code

The above named person was detained on February 9, 1978 at 6:00 a.m.
(Date) (Time)

(over)

1978 FEB 10 10 31 AM
FEBRUARY 8 1978

Petitioner therefore requests a hearing be calendared in the above matter, and that said minor be dealt with according to law.

Subscribed and sworn to before me on this day of February 1978.

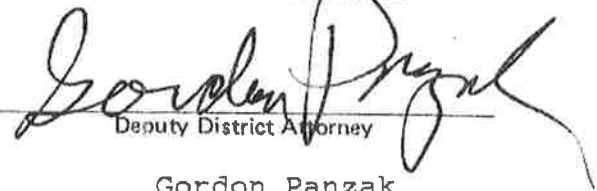
I declare under penalty of perjury that the foregoing is true and correct according to my information and belief and that this declaration was executed at Fresno, California on February 10, 1978.

WILLIAM A. SMITH

WILLIAM A. SMITH

WILLIAM A. SMITH, DISTRICT ATTORNEY

By



Deputy District Attorney

Gordon Panzak

noted as part of this petition.

Matters and conditions concerning this case:

This person...
The above named person is...
The above named person is...
The above named person is...

WILLIAM A. SMITH
DISTRICT ATTORNEY
FRESNO, CALIFORNIA
1000 N. MARKET STREET
FRESNO, CALIFORNIA 93703

PETITION
D.V. NO. 38-136

FILED AS ORDER & COURT

CLERK OF SUPERIOR COURT OF CALIFORNIA

BILLY BOB BROWN
DOB: April 9, 1962
COURT NO. *46742

Said minor, Billy Bob Brown, on or about February 8, 1978, in the County of Fresno, State of California, did willfully, unlawfully, and with malice aforethought murder Teresa Graybeal, a human being, thereby violating Section 187, a felony, of the Penal Code of California;

It is further alleged that in the commission of the above offense said minor, Billy Bob Brown, used a firearm, to wit: a .25 caliber hand gun, said use not being an element of the above offense within the meaning of Penal Code Section 12022.5; and

COUNT TWO: Said minor, on or about February 8, 1978, in the County of Fresno, State of California, did willfully, unlawfully, and forcibly steal, take, and arrest Teresa Graybeal in the County of Stanislaus, State of California, and did take the said Teresa Graybeal into another part of Fresno County, thereby violating Section 207, a felony, of the Penal Code of California;

It is further alleged that in the commission of the above offense said minor, Billy Bob Brown, used a firearm, to wit: a .25 caliber hand gun, said use not being an element of the above offense within the meaning of Penal Code Section 12022.5; and

COUNT THREE: Said minor, on or about February 8, 1978, in the County of Fresno, State of California, did willfully and unlawfully kidnap and carry away Teresa Graybeal to commit robbery and did aid and abet such act, thereby violating Section 209, a felony, of the Penal Code of California; and

COUNT FOUR: Said minor, on or about February 8, 1978, in the County of Fresno, State of California, did willfully, unlawfully, and by means of force and fear take personal property, to wit, a watch and cash, from the person, possession, and immediate presence of Teresa Graybeal, thereby violating Section 211, a felony, of the Penal Code of California.

1 WILLIAM A. SMITH 35715
District Attorney
2 JAMES A. ARDAIZ 60455
Chief Deputy District Attorney
3 County of Fresno
Room 701 - County Courthouse
4 Fresno, California 93721
5 Telephone: (209) 488-3141
6 ATTORNEY FOR PLAINTIFF
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF FRESNO

10 THE PEOPLE OF THE STATE OF)
CALIFORNIA,) MUNI. COURT CASE NO. F-32495
11) DA FILE: 78-1060
Plaintiff,)
12)
vs.)
13)
DOUGLAS RAY STANKEWITZ,)
14 MARLIN E. LEWIS,)
CHRISTINA G. MENCHACA and)
15 TEENA E. TOPPING,)
16 Defendants.)
17)

A F F I D A V I T

18 IN THE MATTER OF:)
19 BILLY BOB BROWN.)
20 STATE OF CALIFORNIA)
21) ss.
COUNTY OF FRESNO)
22)

23 JAMES A. ARDAIZ, being first duly sworn, deposes and
24 says:

25 That he is a duly authorized and acting Chief Deputy
26 District Attorney of the County of Fresno, State of California;

27 That he is prosecuting the case of the PEOPLE OF THE
28 STATE OF CALIFORNIA VS. DOUGLAS RAY STANKEWITZ, MARLIN E. LEWIS,

1 CHRISTINA G. MENCHACA AND TEENA E. TOPPING, Fresno Municipal
2 Court Case No. F-32495, upon the charges of VIOLATION OF
3 SECTIONS 211, 209(b), 211, 209(b), 664/187, 187 OF THE PENAL
4 CODE and VIOLATION OF SECTION 10851 OF THE VEHICLE CODE, set
5 for Preliminary Hearing on the 27th day of FEBRUARY, 1978, at
6 the hour of 9:15 a.m., in the Municipal Court of the Fresno
7 Judicial District, County of Fresno, State of California;

8 That BILLY BOB BROWN is a necessary and material
9 witness for the People in said matter;

10 That said BILLY BOB BROWN personally observed and/or
11 participated in certain acts, events and conversations related
12 to and concerning the aforementioned crimes which occurred on
13 or about the 8th day of FEBRUARY, 1978;

14 That it appears that if BILLY BOB BROWN is called
15 to testify that he will refuse to answer questions and produce
16 evidence on the ground that he might be incriminated thereby;

17 That the use of the above-named person as a witness
18 is not contrary to the public interest and could not subject
19 said person to criminal prosecution in another jurisdiction.

20 THEREFORE, THE DISTRICT ATTORNEY OF THE COUNTY OF
21 FRESNO, STATE OF CALIFORNIA, HAS REACHED THE FOLLOWING AGREEMENT
22 WITH SAID BILLY BOB BROWN:

23 That said BILLY BOB BROWN will testify for the People
24 of the State of California, in and for the County of Fresno, as
25 to all facts, conversations, events and other evidence within
26 his knowledge bearing upon the case of the PEOPLE OF THE STATE
27 OF CALIFORNIA VS. DOUGLAS RAY STANKEWITZ, MARLIN E. LEWIS,
28 CHRISTINA G. MENCHACA, AND TEENA E. TOPPING, Fresno Municipal

1 Court Case No. F-32495, in the proceedings to be brought
2 against said Defendants for the above charges;

3 That said BILLY BOB BROWN will not exercise any
4 State or Federal Constitutional privilege not to testify;

5 That said BILLY BOB BROWN will tell the whole truth
6 and nothing but the truth;

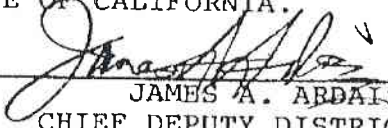
7 That the People of the State of California, in and
8 for the County of Fresno, will not use any of BILLY BOB BROWN'S
9 testimony against him in any manner;

10 That this Agreement is entered into voluntarily and
11 without coercion by said BILLY BOB BROWN.

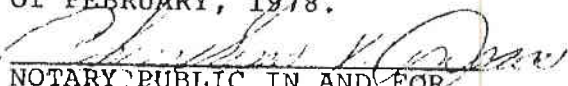
12 WHEREFORE, THE DISTRICT ATTORNEY OF THE COUNTY OF
13 FRESNO, STATE OF CALIFORNIA, REQUESTS THE COURT'S APPROVAL of
14 the before set forth Agreement pursuant to California Penal
15 Code section 1324 and execute an Order of Immunity in accordance
16 with California Penal Code section 1324, requiring the said
17 BILLY BOB BROWN to answer such questions and produce such
18 evidence which, but for California Penal Code section 1324,
19 this person would be privileged to withhold on the ground that
20 such testimony might be self-incriminating.

21 WILLIAM A. SMITH
22 DISTRICT ATTORNEY, IN AND
23 FOR THE COUNTY OF FRESNO,
STATE OF CALIFORNIA.

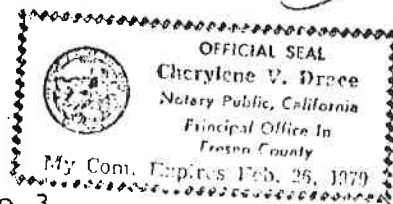
24 By


25 JAMES A. ARDAIZ
26 CHIEF DEPUTY DISTRICT ATTORNEY

25 Subscribed and sworn to
26 before me this 27th day
of FEBRUARY, 1978.

27 
28 NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE.

DA FILE: 78-1060



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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF FRESNO

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
)
Plaintiff,)
)
vs.)
)
DOUGLAS RAY STANKEWITZ,)
MARLIN E. LEWIS,)
CHRISTINA G. MENCHACA and)
TEENA E. TOPPING,)
)
Defendants.)

MUNI. COURT CASE NO. F-32495
DA FILE: 78-1060

ORDER OF IMMUNITY

IN THE MATTER OF:)
)
BILLY BOB BROWN.)

IT APPEARING TO THE COURT THAT BILLY BOB BROWN is a
necessary and material witness for the People of the State of
California, in and for the County of Fresno, in the matter of
the PEOPLE OF THE STATE OF CALIFORNIA VS. DOUGLAS RAY STANKEWITZ,
MARLIN E. LEWIS, CHRISTINA G. MENCHACA AND TEENA E. TOPPING,
Fresno Municipal Court Case No. F-32495, charged with VIOLATION
OF SECTIONS 211, 209(b), 211, 209(b), 664/187, 187 OF THE PENAL
CODE and VIOLATION OF SECTION 10851 OF THE VEHICLE CODE, set for

1 Preliminary Hearing on the 27th day of FEBRUARY, 1978, at the
2 hour of 9:15 a.m.;

3 That pursuant to the Agreement entered into between
4 the People of the State of California, in and for the County
5 of Fresno, and BILLY BOB BROWN, that no criminal prosecution
6 for questions answered or evidence produced by said BILLY BOB
7 BROWN antecedent to, during the pendency of, or subsequent
8 to and in any way connected with the aforementioned crimes
9 which occurred on or about the 8th day of FEBRUARY, 1978, in
10 the County of Fresno, State of California, will be undertaken
11 by the People of the State of California, in and for the
12 County of Fresno, pursuant to California Penal Code section
13 1324 and the Agreement stated in the Affidavit between the
14 parties.

15 IT IS THEREFORE ORDERED that immunity from prosecution
16 for events elicited during the testimony for the aforementioned
17 crimes which occurred on or about the 8th day of FEBRUARY, 1978,
18 be GRANTED to BILLY BOB BROWN.

19 DATED: FEBRUARY 27, 1978, at FRESNO, CALIFORNIA.
20
21
22

23 
24 _____
JUDGE OF THE SUPERIOR COURT
25
26
27

28 DA FILE: 78-1060

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE 2-11-78

Interview with Billy Brown

-1-

70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

Q: Okay Billy what we've done is we've turned on a tape recorder so we can record the conversation and I'm sure you recall talking to a Detective Snow?
A: Yeah

Q: Okay he had a tape recorder on.

Q: Billy, uh I'm gonna ask the officers to read you your rights again and uh uh, Officer Christensen and Lean.

Q: Billy this is in regards to uh a situation that developed out in Modesto and ended up here in Calowa and uh theres some information that uhm we'd like to clarify before we go ahead, hu, we wanta advise you of your rights, you have the right to remain silent, anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and have him present with you while your being questioned. If you cannot afford to hire a lawyer one will be appointed to represent you before any questioning if you wish. You can decide at any time to exercise these rights and not answer any questions or make any statements. Do you understand each of the rights I have explained to you?

A: Yes

Q: Uh having these rights in mind do you wish to talk to us now?
A: Yes

Q: Okay, Billy, I wanta ask you a few questions, and you, you when you talked to Detective Snow here today you gave a pretty detailed statement but theres

REPORTING OFFICERS Christensen/Lean/Ardiaz		RECORDING OFFICER	TYPED BY Sheriff's - Dlc - mans	DATE AND TIME TESTED 2-14-78	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO	COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> JUVENILE <input type="checkbox"/> DIST. ATTNY <input type="checkbox"/> SO./P.D.	<input type="checkbox"/> CII <input type="checkbox"/> PATROL <input type="checkbox"/> OTHER	for the official use of: Name: _____ Agency: _____		
REVIEWED BY _____ Persons,				DATE TESTED _____	

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE _____

-2-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

Q: a couple of things I wanta clear up. Now, Billy you recall, you recall do you know, do you recall seeing a girl named Christine?

A: Yeah

Q: Okay, you know who she is?

A: Yeah she looks like an injun broad.

Q: Okay, now where'd you first see her.

A: Went with some guy, named a Fresno there, joint there, some bar downtown

Q: Think it was joint here?

A: Some bar downtown.

Q: Okay, you remember the girl you talked about the red headed girl, the girl that got shot, was she with you at that time?

A: Yea

Q: Okay, now Billy I'm gonna go through a sequence of events based on what you previously stated and I'm gonna ask you a few questions about that. Okay you picked up Christine Menchaka, when I say you, she got in the car. Okay, and the girl who's car it was was in the car with you, Right. Okay than according to your statement you went by a place, the Olympic Hotel or something, and then you went out onto the west side where the girl was shot, is that right.

A: Yea thats right

Q: Yeah I understand, and then after that happened you went back for some, where, Clovis?

REPORTING OFFICERS LEAN/ARDIAZ, CHRISTENSEN		RECORDING OFFICER	TYPED BY Dlc	DATE AND TIME 2-14-78	ROUTED BY
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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE _____

-3-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

A: Yeah

Q: And then they took you home

A: Yea

Q: Where you talked to your parents. All right now Billy, we have some police officers who were on the west side that night about 8:00 p.m. and they say that they saw some people in a car just like this and that they stopped, they stopped and talked to them.

A: Yeah

Q: Okay, okay now, what what is that, do you recall how many officers it was.

A: There was two of em

Q: Were they on foot

A: Yes

Q: And uh where was the car when they talked to em?

A: When they talked to uh, we were in front there

Q: In front of what

A: In front of the Seven seas resteraunt

Q: The Seven seas

A: Uh huh (positive)

Q: Well was that when you picked up Christine Menchaka?

A: No we didn't pick, she was already in the car. They told her, to go

REPORTING OFFICERS	RECORDING OFFICER	TYPED BY Dlc	DATE AND TIME 2-14-78	ROUTED BY
FURTHER ACTION <input type="checkbox"/> YES <input type="checkbox"/> NO COPIES TO: <input type="checkbox"/> DETECTIVE <input type="checkbox"/> CII <input type="checkbox"/> JUVENILE <input type="checkbox"/> PATROL <input type="checkbox"/> DIST. ATTNY. <input type="checkbox"/> OTHER <input type="checkbox"/> SO./P.D. <input type="checkbox"/> OTHER		REVIEWED BY		DATE

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

DATE _____

-4-

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS <input type="checkbox"/> RESIDENCE <input type="checkbox"/> BUSINESS <input type="checkbox"/>	75. PHONE	

inside and see if they could sell that watch, that that girl had

Q: Okay now, okay lets back up Billy, whenever, when the police officers came up they asked you how old you were right?

A: Yeah

Q: And where were you seated in the car?

A: I was seated on the, on the drivers side, no I was sitting right in the middle on that little lump on the in the car.

Q: In the back or the front?

A: In the back

Q: Okay where was the girl who's car it was?

A: THEY already shot her.

Q: They already shot her?

Q: Okay, thats what were trying to clear up, cause you know whenever you said you'd go on back to Clovis with us you know, where's the Olympic Hotel then in relation to the Seven Seas?

A: Well it in, cause the deal with the thirty dollars and the watch, and when they got in to Fresno, they were to pick up Christine at that bar, some bar, (unintelligible) and then we went to the Olympic Motel to pick up a the Heroin I think thats what they were talking about, and we stopped there and from there they, from there they jammed out, and they drove, they go lets go pick up at Calwa, you know, and then they drove out to Calwa and I

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70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

A: thought we were in Fresno cuz I was tired and then they musta shot her out there and then they go alright lets head back to Chinatown cuz they had the watch and the thirty dollars and

Q: Okay let me stope you a minute, when you say they musta shot her, you mean, your talking about the location, you weren't too sure about the location

A: No man cuz I was sleeping see, they drove all that way, and

Q: You saw Zankowicz shhoot the girl, you've already told us about that okay, let me get my sequence of events straight because its important to us exactly what happened. You stopped off and you picked up CHRISTINE MANCHAKA at the Joy Joy, which you think is the Joy Joy. The girl, then you all got into the car and you went out to Olympic Motel and Zankowicz and who else got out of the car?

A: CHRISTINE and TIMA, in there, and then they drove uh, Lewis, they gave LEWIS the gun and told LEWIS to watch the car. And the girl, and I was sitting on this side and then the girl, and then right, then the guy with the gun was right here and then the girl was talking and she goes uh I hope there ain't no shooting down, and I go yeah I know cuz I don't wanta get shot and she said the same thing. And then they played, then Stakowitz' came back down, down then he got the gun and she asked him again is there anything that she (unintelligible). And then Zankowitz said I don't know. But he got the gun and stuck it in his pants and they called him back up again and he went

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back up there.

Q: Whos they?

A: Tina and Christine called him back up there again. So he went back up there and about five minutes later he came down and then they we split to Calwa and then that when they shot her, right there on the corner of 10th & 9th they said.

Q: Okay, you know now that it was Calwa. That night you weren't to sure it was. Okay, Okay so who got out of the car when the girl was shot?

A: Uh, lets see, I was in the car, passenger, this side, on the drivers side on the drivers side towards the front, and Christine and the girl and the wait a minute, TINA, CHRISTINE, Larry and the girl that was sitting in the middle and I was sitting they were ther, and he goes uh, they were asking some kinda question, if we were hungry or something you know.

Q: Who was?

A: TINA, she goes you hungry Billy? Because Tina, TINA was supposed to make sure I was home that night, cause my mom said she was gonna call the cops, and I said yeah I'm hungry and she told the other guys, she told Doug and that Lewis and her to get out of the car cuz they were gonna go pick up some Herion so you know, some more Heroin so they got outta the car and then I seen Lewis come walking back to the door and then I looked over at Doug and that girl and I seen Doug point the gun at her head and go "POW" and she dropped and thats

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A: When Doug come over to the car.

Q: Okay let me ask you a question. Now I understand you described how he pointed the gun. Now when he pointed the gun, did he hold his hand out straight and point it, did he hold it with two hands and point it?

A: No, he couldn't.

Q: Okay could you show me how?

A: Yeah, it was like this (demonstrates) cause I seen his wrist pop up like that.

Q: Okay what your describing to me, let me see if we get it correct, what your describing to me is holding his gun in his right hand, the arm extended straight out, like this (demonstration), and then taking the left hand, the palm under what would be the grip of the gun and holding it like that.

A: Yeah and when he shot it popped up like that. Just a little bit.

Q: Popped up a little bit of recoil.

A: Yeah, he only just shot once.

Q: Where was the girl looking whenever he fired the gun.

A: Looking the other way, the opposite way

Q: Okay, you told us you heard uh, him uh make a statement to Lewis about how he really dropped her. Where was Lewis standing when Zankowitz shot the girl.

A: All right. The girl was standing there, Zankowitz standing there.

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Lewis was still kinda making the L.

Q: Kind of in a L shape if you connected the dots up.

A: Yeah, then Lewis was standing there. Lewis started walking to the car, and then two guys started getting in and I looked over like that and I seen him shoot her, and then he came running to the car.

Q: Okay, when Lewis was out there, did he have any kind of a weapon with him.

A: He had his knife.

Q: Was the knife out?

A: The knife was out of the case.

Q: How was he holding the knife.

A: He (stuttering) was holding it like this (demo).

Q: Now your describing in your right hand with the blade up in the air?

A: Yeah, no he had it on his leg like, like this.

Q: And he was just holding it?

A: Uh huh (affirmitave)

Q: Knife was out, you could see the blade? Did he have it with him whenever he got out with the girl?

A: Unh unh (negative) I don't think so.

Q: You think he was unarmed?

A: Yeah

Q: You know where the knife was?

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A: I think at that time it was right where the console was. You know what a console is? I think in between the seat the console.

Q: The console that goes down the middle of the car?

A: Unh huh (affirmitave).

Q: Okay. Now Billy when you uh , okay so the girl, the girl was shot, okay Zankowitz got back in the car, Lewis was in the car talking, Mancheka Manchaka and you right?

A: Mhmm

Q: Now anybody else in the car?

A: Nmhm (negative)

Q: Okay where did you go then?

A: Thats when I went to that bar.

Q: That when you went back to the Seven Seas, or went to the Seven Seas.

A: Yeah, yeah and they tried to sell it.

Q: Okay, who's they?

A: Uh, TINA, and TINA, wait a minute, CHRIS IS the one that walked in to see if she could see it.

Q: CHRISTINE MENCHAKA?

A: Yeah. And then she asked a Lewis, she goes, Lewis, why don't you go in and see whats taking her so long you know, and thats when the two Sheriffs came up and then TINA seen em come up you know and I was really scared, and

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I thought they were going to shoot me, so Tina goes, "Billy, you'd better tell them that your name is Billy LEWIS. So, I told them, I go, I go, they ask Tina what's her name, and they ask Doug, and then they ask me, and I go, "Billy LEWIS." Cause they would have took me out and shot me, too.

Q. Who?

A. STANKEWITZ, man. They were driving through all kinds of dark streets. That's how come I didn't say nothing.

Q. All right, now Billy, when the police officers came up to the car. TOPPING was in the car, Tina and you were in the car...

A. Uh huh

Q. Where was STANKEWITZ?

A. Doug was on the passenger side of the front seat.

Q. He was sitting on the right front passenger seat when the police officer came up to the car?

A. Uh huh

Q. OK. Had LEWIS gotten out of the car and gone into the bar?

A. Yeah, LEWIS, and then she said...

Q. Who's she?

A. Tina goes, yeah, she goes to the officer, will you go in there and see what's taking them so long. And then she goes, that officer goes, why

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don't you have your brother to go in and see. So STANKEWITZ was getting out of the car and he just opened the door and looked over and they were coming so he got back in the car, and then they got back in their car. And then that's when uh, TINA went over, and we took off when TINA was handing the gun back to STANKEWITZ. Then STANKEWITZ put it, put it right here on his lap. And then that's when we went out to Clovis to, over to someone's house to see if he got any, anymore 25 shells. And that's when, uh, someone told them out in Clovis that my Mom was uh, she, she had put a, what do you call that?

Q. A missing persons data?

A. Yeah, yeah

Q. For you?

A. Yeah. Then I told them, I go, that's why I wanted to go home, so then they took me home. That's when I told my probation officer and I told some detectives out there what happened.

Q. OK, now, BILLY, when you picked up CHRISTINE MANCHAKA, at the, what you think was the JOY, JOY, did anybody tell CHRISTINE MANCHAKA that the car was stolen, that the car was hot?

A. I think TINA did.

Q. OK, did anybody tell you who the girl with the red hair was ..

A. TINA did.

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Q. She did, what did she tell her?

A. TINA, I think TINA told her that got the car from Modesto, and they had brought her down with the car, and she still got in the car. But then when they brought her down, when they were bringing her down they told her to go, when we get downtown JOY, JOY we'll let you out of this car in back and then we're gonna go on our own, and go back. So when we got downtown, right there where CHRISTINA was picked up, I started getting out of the car, because they said when we got to JOY, JOY they were gonna let her have it, you know, so I started getting out of the car. Then STANKEWITZ told me to get back in the car, so I just got back in the car and I sat down, and then that's when CHRISTINE came out, let's see, yeah that's when TINA went in to get CHRISTINE, and then CHRISTINE came out, TINA got back in the car and then that's when we left.

Q. That was right before the girl was shot?

A. That was, yeah, right before.

Q. OK, now you say when you went to the SEVEN-SEAS, the time whenever the Police officers came up, that you went in to get rid of the girl's watch, is that it? Not you, but CHRISTINE and TINA went in to see about getting rid of the girl's watch?

A. Uh-uhm (YES)

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73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

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75. PHONE

Q. OK, who had the watch, when they went in there, do you know?

A. CHRISTINE did.

Q. Now who gave the watch to CHRISTINE?

A. TINA

Q. What about, was there money, you said there was money taken from uh, I'm gonna call her THERESA, that's the name of the girl that was killed, OK? Now did TINA give CHRISTINE any of the money that was taken from THERESA?

A. She gave, when we made a stop at the OLYMPIC MOTEL she gave her, gave her, let's see, I think it was twenty (20)

Q. Who did?

A. Uh, TINA did.

Q. OK

A. (unintelligible)

Q. Alright, so, when the officers, do you know or not whether they ever got rid of the watch?

A. No I don't, I don't, they might of, because they dropped me in Pinedale when they left again. You know, I don't know if they got rid of it or not, because all I seen, they didn't get rid of it at the SEVEN-SEAS though.

A. You know they didn't get rid of it at the

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A. I know that, cause they said no, nobody to buy it, so we went to Clovis and, see if they had anymore 25 shells and then they took me home, and they still had the watch, so I don't know if they got rid of it.

Q. OK, did anybody ever have any sex with the girl?

A. Huh-uh (negative)

Q. Anybody ever threaten to have any sex with the girl?

A. NO

Q. OK, now ART you have one question that I can't, right above the sexual activity, I can't read it.

Q. Uh, when you were stoped in Manteca, I believe it was, in the white Oldsmobile, uh, did STANKEWITZ have the gun on him at that time?

A. No I don't think so, I think it was inside the bag, one of those bags you carry your cloths and stuff in, I think it was in there.

Q. BILLY I wanted to ask you about (unintelligible). Now you went up to Sacramento with TINA?

A. Uh-uh (yes)

Q. OK

A. And (unintelligible) WALKER.

Q. And WILLIE WALKER, OK, now when your on your way back, uh, from Manteca, your on your way back, your on your way back from Sacramento

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you were in a car, an Oldsmobile, remember that white Oldsmobile?

OK, what kind of, where'd they get that car?

A. I don't know, the other guys, they had it when they came down to Fresno, when we came to Fresno.

Q. Who was in the car?

A (unintelligible)

Q. When you stoped in Manteca?

A. Alright, there was me, STANKEWITZ, TINA, and MARY, uh STANKEWITZ's mother, and this guy we call ROGER DODGER, that's STANKEWITZ's brother, and LEWIS.

Q. OK, ROGER DODGER, how old is he, about 17?

A. Yeah.

Q. Alright, and LEWIS, was there another man there about 30 or so years old?

A. Oh yeah, J.C.

Q. What's his name?

A. I don't know his name, they just started calling him J.C.

Q. OK, now BILLY, when you stoped, OK, you got stoped by the police, right

A. Uh-huh

Q. In some little town, right?

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A. Uh=huh

Q. The officer got everybody out of the car?

A. Uh-huh.

Q. And took you in and put you in the holding tank, holding cell?

A. They, they, yeah, they

Q. What did they do with you?

A. They had us up in the front, right there you know, and they were trying to clear it, we were sitting there for about an hour, about an hour and a half, and then they told us that, I told them that I had to use the restroom, STANKEWITZ, they took all three of us, ME LEWIS & STANKEWITZ back to use the restroom, and then, uh, they brought us out and then he, that officer comes up and says we got some good news and we got some bad news. The officer goes, well the good news is you guys can go, he says, the bad news, the car stays. He says, because we haven't got hold of your Uncle, talking about TINA's uncle, and that's all he said and then we left.

Q. Alright, BILLY, now, that was early in the morning, that was real early in the morning.

A. Uh, about 4:30

Q. Yeah, it's still dark outside. OK, now you got a whole bunch of you people, did you try to hitch-hike somewhere?

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A. Huh-uh, we just walked over, they told us where a bus depot was and we walked about 2 blocks to the bus depot, but it was closed so we sat right there in the donut shop til about 6:00 in the morning then we missed that bus, and then there was another one at 9:00 something, we missed that one, and then we missed them all the way up til about, it was about 10:00, they wanted to stay and catch the 2:00 bus.

Q. Whose they?

A. MARY, ROGER DODGER and his date. And then LEWIS goes, MARY Asked me, MARY asked me if I was going to hitch hike, I go Yeah, and then LEWIS goes (unintelligible), so STANKEWITZ and TINA they started out first. And then we started in and we got a ride, and then we got right up there and we asked them to stop and pick up them two, they said yeah, so they gave us a ride up to the freeway, and then from there..

Q. Who hitched that ride up to the freeway?

A. Me, TINA, STANKEWITZ and LEWIS, we were, well me and LEWIS asked them if they would stop up there and pick up our friends, you know.

Q. Which friends?

A. STANKEWITZ and TINA.

Q. OK, where was the guy you call ROGER DODGER, MARY STANKEWITZ AND JC.

A. They stayed at the bus stop.

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73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

Q. OK

A. They were going to wait for a bus, to come here I guess, or Sacramento.

Q. OK, did you every see them again that night?

A. (unintelligible)

Q. OK, now you, we're gonna back up again a little bit, when you were stopped by the police officer, when we asked you about the gun that STANKEWITZ had, you say it was in a bag? You think it was in a bag?

A. No it was inside of a case, I told him.

Q. OK, but whenever the officer, remember when the officer kind of searched people, you know when they stopped you guys. Did the officer search you?

A. No, did the officer search us when, when we're here?

Q. No, when the officer, remember whenever the officer stopped the car in that little town, the Oldsmobile, remember the officer stopping you?

A. Uh-huh

Q. And taking you out of the car there?

A. Uh-huh.

Q. Were you searched then?

A. No, no

Q. Did they take you to the police station after that?

A. Yeah.

REPORTING OFFICERS

RECORDING OFFICER

TYPED BY

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DATE AND TIME

2-15-78

0640

ROUTED BY

FURTHER ACTION

YES
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DETECTIVE

CII

JUVENILE

PATROL

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DATE

FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

-19-

DATE _____

70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

Q. OK, were you searched there?

A. No

Q. Where was the gun?

A. The gun was in that little bag I guess, that, that sack thing.

Q. What kind of sack was it?

A. It was like uh, you know that decorated sacks where you put cloths and stuff in the plastic ones.

Q. Oh you mean just a little, like a plastic bag.

A. Plastic sack with designs on it.

Q. Shopping bag?

A. Yeah

Q. OK., you mean the whole time that you, was that, STANKEWITZ was holding that gun that whole time that you were in the police station?

A. It was in the police station but he wasn't holding it, MARY was holding the bag.

Q. MARY STANKEWITZ?

A. Yeah

Q. DOUG's mother?

A. Uh-hum

Q. And she left the bag with who?

A. And then when we got over to the donut shop, DOUG, DOUG said, uh

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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

69. CASE NO.

78-1809

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70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	BUSINESS	75. PHONE
		RESIDENCE		

we're not gonna wait here forever, so, they uh, he, he told LEWIS, hand him that bag. So he got the gun out and stuffed it in his pants and him and J.C. went out somewhere. They come back about an hour and a half later and says it's no good, they waited about a half hour and they went out again, they came back and they said nothing. So we were sitting there waiting for the bus.

Q. Did they have any money when they came back the second time?
A. No, I don't think so.

Q. Did they ever talk about, uh, robbing a man, a Mexican man of his, of his money, shooting at him?

A. (unintelligible) all I heard was he was talking to his Mom, said they were going to go rob somebody, that's all I heard. And then I was just sitting there, I was, what I was going to do I was going to wait there for the bus, but then MARY came up with this idea saying, well you guys better, she told us she wasn't gonna let us ride on the bus, then she told us, she told, this way, well you guys better start hoofen it.

Q. MARY is DOUG STANKEWITZ's mother. OK, so now, I think I understand, you guys clear on that? You don't recall anywhere between Manteca and Chinatown, here in Fresno, of DOUG robbing a man?
A. No

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FRESNO COUNTY SHERIFF'S DEPARTMENT
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70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

Q: Firing a shot at him?

A: No.

Q: If he did you weren't there is that it?

A: Right

Q: Okay, so now I'd like, its like, its about, you've hitchhiked over to the freeway about what time is this?

A: Uh, we got a ride from uh Sacramento to Modesto, that was, that was about, lets see, uh about 10:00 or 11:00 we got a ride from Sacramento to Modesto, uh me and

Q: Wait a minute you were already you, you got stopped in a town called uh, Manteka.

A: Yeah

Q: And you had come from Sacramento in the Oldsmobile right?

A: Oh yeah, we uh we come from Sacramento in the Oldsmobile and then the Oldsmobile started messing up you know, and like and everybody said it needs oil, it needs oil so we bought some oil and put it in it and it still clanged you know so we go it needs transmission fluid, it needs transmission fluid, so Larry opened up the hood and a poured transmission fluid in, no and Larry stabbed a hole in the deal, in the can with the knife and then thats when uh the cop says STANKEWITZS., put your hands on the hood, so he did and thats when they took his (unintelligible) and then from there were at the bus, were at

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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

78-1809

DATE _____ -22-

NO. CODE-SECTION _____ TL. CRIME _____ 79. CLASSIFICATION _____

VICTIM'S NAME - LAST, FIRST, MIDDLE (FORM IF BUS.) _____ 74. ADDRESS _____ RESIDENCE _____ BUSINESS _____ 75. PHONE _____

A: the bus stop and the bus stop was closed so we went to the Donut shop and we stayed there from about two or three hours and then from there we moved to the bus stop in the morning and we were sitting around there for about three or four hours and then thats when me, Stankewitz, TINA and LEWIS started hitchhiking.

Q: Where did you hitchhike to?

A: From that little town we hitchhiked to Modesto.

Q: You hitchhiked to Modesto. Now what time did you get to Modesto?

A: Uh, we got there about 1:00 or 2:00

Q: Okay, and what kind of a car did you get a ride in?

A: Uh, lets see, a brown truck, I think it was a Dodge.

Q: Okay, did you talk to a man at all.

A: Nah, me and LEWIS were in the back,

Q: Was there anything unusual about the truck.

A: NO

Q: I mean was ah, was it a new truck, and old truck.

A: No a new truck

Q: And was it a little pickup or a big truck?

A: Big truck. It was like uh a large pickup. It was brown and it was

Q: Where did the man go after he dropped you off?

A: Uhm, we were in Modesto, and we pulled up on the exit and he dropped us off

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FRESNO COUNTY SHERIFF'S DEPARTMENT
Fresno, California

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70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

A: and then he went thataway you know, down toward, thataway.

Q: He turned off the freeway?

A: Yeah, and then uh, and then over towards this side so me and uh LEWIS said we'll keep on hitchhiking cause see, so we stuck our thumb out we needed to get a ride.

Q: Let me, let me ask, let me back up and ask you, he turned thataway you said, you mean he turned, he took the right right exit off the freeway.

A: Yeah

Q: Okay. In Modesto?

A: Mhmm (positive)

Q: What'd the man look like?

A: I dont, I didn't even look at him. We were way in the back, in the back of the truck.

Q: Okay, do you know, do you have any idea wether he was Mexican, uh

A: He was white

Q: He was white?

A: Yeah, when he stopped and pulled over I seen his face was, I don't know what he looked like, I know he was a white guy though.

Q: Could you tell wether or not he was a young man an older man, was he did he have long hair, short hair, anything about him.

A: He had short hair, sorta like his.

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RECORDING OFFICER

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DATE AND TIME

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2-15-78

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Fresno, California

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70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

Q: Like um, Detective Leans?

A: Mhmm

Q: Okay, so when you were dropped off there, what did you do?

A: We just started hitchhiking down the freeway, and DOUG looks down at us and goes like this and goes like that.

Q: You mean he motioned with his head for you to come over to him,

A: Yeah so we walked up there to where, we walked across the freeway, to that store K-Mart and then he told us first were right here and then the little, the other thing like right here, me and LEWIS was standing here and he told us to wait here don't move, so TINA and him were walking through the parking lot and they walked all around K-Mart parking lot, so I told him come on lets go over to hitchhike, me and LEWIS did, so me and LEWIS started walking and they were right behind us so, we started hitchhiking again and he called us back up again and then we came back and we started looking around this other deal other parking lot and there was no, me and LEWIS was back over hitchhiking, they were right behind us and it started raining real hard so we went back and thats when I was standing, you know, in fron of K-Mart right there by a telephone, and then thats when that lady walked out, uh, that one that got shot. She walked out and uh TINA was walking right behind her and then STANKOWITZ was walking on the other side of the road, so when they, when she got in the car she didn't get time to shut the door yet, TINA had pushed her

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70. CODE SECTION	71. CRIME	72. CLASSIFICATION		
73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
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A: over and that girl was honking her horn and then STANKOWITZ went around this side and then LEWIS got in an unlocked the door, and then I was still standing there they had her in the car and everything and then they kept calling my name, come on, come on, you need to walk, so I didn't wanta walk so I went over and got in the car I didn't see nothin, I didn't do nuthin.

Q: Did you see STANKOWITZ with the gun? Whenever the girl got in the car? When they forced, when TINA forced the girl into the car?

A: Yeah

Q: STANKOWITZ had the gun?

A: Mhmm (positive)

Q: What did LEWIS have?

A: LEWIS had that knife.

Q: He had that knife?

A: Yeah

Q: Okay.

A: What do they got me in here for anyway?

Q: Well the whole point is , is uh Billy to be honest with you uh because uh everybody who is involved in a, in a trial, in the murder of the girl, thats why your here, were trying to weed through this to see who did what when.

A: I didn't do nuthin man, I was just settin back.

Q: Well I understand you were you know, that you were in the car, and that

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73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

you didn't shoot the girl or anything like that, I understand all that, but uh, I want you to understand that what were trying to do is were trying to go through this and figure out what happened, okay, and were trying to make that decision as reasonably as we can, and as fairly as we can.

A: So when will all this be cleared up?

Q: Well, I don't know how long its gonna take, us Billy, we gonna go talk to some other people, and see whats going on. Billy, what happened to your uh what happened to your lip?

A: Umintelligible)

Okay, we finished side one of the tapes, starting side 2.

Q: Alright now, Billy uh when the girl was shot you previously stated that uh Stankowicz made a statement, uh to the effect that he really, really dropped her, and LEWIS said something?

A: Yeah, yeah LEWIS goes man you dropped her then he started laughing.

Q: LEWIS laughed?

A: Yeah

Q: How about STANKOWITCZ?

A: STANKOWITCZ was laughing anyway. He's physco

Q: So what about the, did they talk about it anymore after it was done? After the girl had been shot? How about you, did you say anything?

A: I told them, I go you know it was cold, don't talk about it man, its over

REPORTING OFFICERS	RECORDING OFFICER	TYPED BY Dlc	DATE AND TIME 2-15-78	ROUTED BY
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73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS
				75. PHONE

A: Thats all I said.

Q: What about TINA?

A: TINA didn't say nuthin. Told CHRIS she outa sell that watch

Q: What did CHRIS say to her.

A: We went over to Seven Seas, and we went over there to try and sell it and then we went over to CLOVIS and dropped me off.

Q: Okay, I think I've finished my questions.

Q: Billy, at anytime when they took the young lady out of the car where was she at in the back seat?

A: Mhmm (positive)

Q: When they took her out and you saw what transpired out there uh what did TINA and CHRISTINE say at that time?

A: They didn't say nuthin, TINA was sitting there getting ready to drive off, I guess. Thats when LEWIS came came walking up to the car, and STANKOWITCZ shot her and then they they got in the car and then TINA just drove off and then DOUG goes, drive slow, drive slow somebody will think something, so she just drove off.

Q: But they hadn't uh, she didn't say anything about the, when they took her out of the car. Did CHRISTINE say anything?

A: No, I don't think so.

Q: You can't recall anything?

REPORTING OFFICERS		RECORDING OFFICER	TYPED BY Dlc	DATE AND TIME 2-15-78	ROUTED BY
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70. CODE SECTION

71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

A: No

Q: Okay, yeah uh, during the course of the events from the time of the kidnapping of the girl there in Modesto, till the time of the killing, had you or any other member of the party involved in this thing been drinking?

A: No

Q: You hand't had anything to drink? You didn't see anybody else drink?

A: No, till after

Q: After, okay. After that time, up till that time again, from the time of the kidnapping to the killing of the girl, did you see anybody take any narcotics. Actually see anybody see anyone take narcotics? Anybody smoke any marijuana?

A: No

Q: Nothing, everybody was straight?

A: Mhmm

Q: Your shaking your head you mean no you didn't see anything

A: That what, no I didn't see anything

Q Okay

A: But they woulda, they woulda in the motel, I don't know what they did up there.

Q: But you did not personally see any member of this party that was involved in the killing of this girl take any alcohol or drugs in your presence?

REPORTING OFFICERS

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73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)		74. ADDRESS	RESIDENCE	BUSINESS 75. PHONE

A: No

Q: And neither did you?

Q: When they came back from the Olympic Motel Billy were they acting alright?

A: Nah, they were acting kinda goofy to me.

Q: What do you mean kinda goofy?

A: They were, she was driving crooked, and she was closing her eyes every once in awhile,

Q: TINA

A: Yeah, and then DOUG would do the same thing, so I don't know

Q: Yeah, but you, I mean

A: I, I can't say they took anything, to me it looked like they did, I just can't say anything, I didn't see em.

Q: They didn't say anything?

A: Mhmm, they didn't, they had to go pick up in Calwa.

Q: So it was your impression they hadn't even scored, they hadn't been able to buy any vet, is that what you assumed?

A: I think they got some at the Olympic Motel, but I think they was just using Calwa for, to do her in there, you know, uh,

Q: But they said that they were gonna go score in Calwa.

A: Yeah

Q: Who said that?

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71. CRIME

72. CLASSIFICATION

73. VICTIM'S NAME - LAST, FIRST, MIDDLE (FIRM IF BUS.)

74. ADDRESS

RESIDENCE

BUSINESS

75. PHONE

A: DOUG and CHRIS. DOUG asked CHRIS "you know of any other place?" and then CHRIS goes yeah in Calwa.

Q: DOUG asked CHRIS do you know of any other place?

A: Yeah, and she said Calwa so they already had it planned out when they came, when they were walking down the stairs.

Q: Where they were going out there to get something and uh they decided to kill her along the way.

A: Mhmm

Q: Okay, I don't have any more questions.

The time is uh 1035 hrs. Today is the 11th February, 1978. Uh this is case #78-1809 and this interview is conducted in Room 2 at Juvenile Hall Present is Detective Tom Lean, uh Mr. James Ardiar, District Attorneys Office and myself Christensen. Okay were gonna shut off the tape.

REPORTING OFFICERS

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2-15-78

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Petition for Writ of Habeas Corpus - EXHIBITS

Billy Brown Testimony Transcription

1
2 Officer #1: Ok Billy what we've done is we turned on a tape recorder so we can record the
3 conversation. And I'm sure you recall; you recall talking to a Detective Snow?

4 Billy: Yes.

5 Officer #: Ok on a tape recorder huh? Billy, uh I'm gonna ask the officers to read you your
6 rights again. And uh, either officer Christianson or me.

7 Officer #2: Billy this is in regards to uh the situation that developed out in Modesto and ended
8 up down here in Calwa. And uh, there's some information that we'd like to clarify. But before we
9 go ahead, I want to advise you of your rights. You have the right to remain silent. Anything you say
10 can and will be used against you in a court of law. You have the right to talk to a lawyer and have
11 him present with you while you're being questioned. If you cannot afford to hire a lawyer, one will
12 be appointed to represent you before any questioning, if you wish. You can decide at any time to
13 exercise these rights and not answer any questions or make any statements. Do you understand each
14 of the rights I have explained to you?

15 Billy: Yes.

16 Officer 2: Having these rights in mind, do you wish to talk to us now?

17 Billy: Yes.

18 Officer 1: OK, Billy, I want to ask you a few questions. When you talked to Detective Snow
19 the other day and you gave a pretty detailed statement there was a couple of things I wanted to clear
20 up. Now, Billy, do you recall, do you know, do you recall seeing a girl named Christine?

21 Billy: Yea.

22 Officer 1: Ok, you know who she is?

23 Billy: Yea, she looks like an Indian broad.

24 Officer 1: Ok, now where did you first see her?

25 Billy: I seen her when we went down into Fresno at Joy and Joy with them.

26 Officer 1: Think it was at Joy and Joy?

27 Billy: Some bar downtown.
28

1 Officer 1: Ok, now listen. You remember the girl you talked about? The redheaded girl, the girl
2 that got shot? Was she with you at that time?

3 Billy: Yea.

4 Officer 1: Ok, now Billy. I'm going to go through a sequence of events based upon on what
5 you previously stated. And I want to ask you a few questions about that.

6 Billy: (muffled noise)

7 Officer 1: Ok, you picked Christine Menchaca, and when I say you, she got in the car. Ok, And
8 the girl whose car it was, was in the car with you. Right? Ok. And then according to your statement,
9 you went by a place in the Olympic Hotel or something?

10 Billy: Mhmm.

11 Officer 1: And then you went up on to the westside where the girl was shot. Is that right?

12 Billy: Yea that's what I thought it was, but... (inaudible).

13 Officer 1: Yea, I understand. And then after that happened you went back towards where?
14 Clovis?

15 Billy: Yea.

16 Officer 1: And then they took you home?

17 Billy: Yea

18 Officer 1: Where you talked to your parents. Alright, now, Billy we have some police officers
19 who were on the westside that night at about 8 o'clock. And they say that they saw some people in a
20 car, just like this, and they stopped and talked to some of them.

21 Billy: Yea, they did.

22 Officer 1: Ok, now. Where did that..., do you recall how many officers it was?

23 Billy: It was two of them.

24 Officer 1: where they on foot?

25 Billy: Yea.

26 Officer 1: And, uh, where was the car when they talked to em?

27 Billy: when they talked, it was parked right there.

28 Officer 1: In front of what?

1 Billy: In front of the Seven Seas I think.

2 Officer 1: The seven seas?

3 Billy: Mhmm, I think it was.

4 Officer 1: Was that when you picked up Christine Manchaca?

5 Billy: Nah, Christine was already in the car. Cause they told her, them people told her to go
6 inside and see if they could sell that watch that that girl had gave them.

7 Officer 1: Ok now, ok so let's back up Billy. Whenever, when the police officers came up, they
8 asked you how old you were right?

9 Billy: Mhmm.

10 Officer 1: And where were you seated in the car?

11 Billy: I was seated on the pass... on the driver side..., no I was sitting right in the middle
12 on that little lump in the car.

13 Officer 1: In the back or the front?

14 Billy: In the back.

15 Officer 1: Ok, where was the girl whose car it was?

16 Billy: They had already shot her.

17 Officer 1: They had already shot her?

18 Billy: Mhmm.

19 Officer 1: Ok, that's what we're trying to clear up. Cause you know you said whenever you had
20 gone back to Clovis, you know, where is the Olympic Hotel then with relation to the Seven Seas?

21 Billy: Well they said, cause that girl gave them \$30 and a watch. And when they got into
22 Fresno, they went to go pick up Christine at that bar, some bar, I think it was Joy and Joy they said.
23 And then from there they went to the Olympic Motel to go pick up some heroin, I think. That's
24 what they were talking about. And then they stopped there. And then from there, from there they
25 jammed out and then go, "alright let's go pick up at Calwa" you know, and then they jammed out to
26 Calwa. And then I thought it was in Fresno because I was tired. And then they must have shot her
27 out there. And then they go "alright let's head back to Chinatown because they had the watch, they
28 had the \$30.

1 Officer 1: Alright let me stop you for a minute, when you say “they must’ve shot,” you mean,
2 you’re talking about the location, you weren’t too sure about the location.

3 Billy: Yea, because I was sleeping. They drove they drove... (inaudible).

4 Officer 1: Ok, you saw Stankewitz shoot the girl?

5 Billy: Mhmm.

6 Officer 1: You’ve already told us about that. Ok, so let me get my sequence of events straight.
7 Because it’s important to us exactly what happened. You stopped off and you picked up Christine
8 Menchaca at the Joy and Joy?

9 Billy: Mhmm.

10 Officer 1: What you think is the Joy and Joy. The girl... then you all got into the car and you
11 went out to...

12 Billy: To the Olympic Hotel.

13 Officer 1: You went to the Olympic Hotel. And Stankewitz and who else got out of the car?

14 Billy: Christine and Teena went up in there. And then they gave uh, Lewis, Stankewitz
15 gave Lewis the gun and told him to watch the car.

16 Officer 1: And the girl?

17 Billy: Yea, and the girl. And I was sitting on this side, and then the girl is here and they
18 were right, the guy with the gun was right here. And that girl was talking to me and she goes “I
19 hope there ain’t no shooting going down.” And I go, yea I know because I don’t want to get shot.
20 And she says the same thing. And they came, Stankewitz came back down. Then he got the gun and
21 she’d asked him again. Is there anything the shooting gonna come down and then Stankewitz said “I
22 don’t know” so he got the gun and stuffed it in his pants and they called him back up again. And he
23 went back up there.

24 Officer 1: Who is they?

25 Billy: Teena and Christine called him back up there again. So, he went back up there and
26 about 5 minutes later he came down and then we split and went to Calwa and then that’s where they
27 shot her right there on the corner of 10th and 9th they said, I think.

28 Officer 1: Ok, you know now that it was Calwa?

1 Billy: Mhmm (inaudible).
2 Officer 1: That night you weren't too sure about the... ok.
3 Billy: Mhmm.
4 Officer 1: Ok, so who got out of the car when the girl was shot, Billy?
5 Billy: I was in the passenger... I was on this side, the driver side.
6 Officer 1: Which side is that?
7 Billy: Teena was up front. Christine and the girl and uh. Wait a minute. Teena, Christine,
8 Doug, and the girl was still in the middle and I was here they were, so he goes uh, they asking me
9 some kind of questions if we were hungry or something. You know?
10 Officer 1: Who was?
11 Billy: Teena. Teena goes, "are you hungry Billy?" because she was supposed to make sure
12 I was home that night. Because my mom said she was gonna call the cops. and I said yea I'm
13 hungry. And she told them guys, she told Doug and that Lewis and her to get out of the car because
14 they were going to go pick up some heroin, you know, some more heroin. So they got out of the car
15 and then I seen(sic) Lewis come walking back to the door and then I looked over at Doug and that
16 girl and I seen(sic) Doug point the gun at her head and pow and she dropped. That's when Doug
17 came over to the car.
18 Officer 1: Ok, let me ask you a question. Now I understand you've described how he pointed
19 the gun. Now, when he pointed the gun, did he hold his hand out straight to point it? Did he hold it
20 with two hands and point?
21 Billy: He holded(sic) it with two hands.
22 Officer 1: Ok can you show me how?
23 Billy: Yea just like this, and cause I seen his wrist pop up like that.
24 Officer 1: Ok, now what you're describing to me and let me see if we get it correct. What
25 you're describing to me is holding the gun in his right hand?
26 Billy: Yea.
27 Officer 1: The arm extended.
28 Billy: Mhmm.

1 Officer 1: Straight out, like this. and then taking the left hand, the palm under what would be
2 the grip of the gun?
3 Billy: Yea.
4 Officer 1: And holding it like that?
5 Billy: Mhmm, and then when he shot it popped up like that. Just a little bit.
6 Officer 1: Popped up, little bit of recoil.
7 Billy: Yea, just, he only shot once.
8 Officer 1: There was the girl looking whenever he fired the gun?
9 Billy: Looking the other way. the opposite way.
10 Officer 1: Ok, now you told us that you heard him make a statement to Lewis about how he
11 dropped her?
12 Billy: Yea, mhmm.
13 Officer 1: Ok, where was Lewis standing when Stankewitz shot the girl?
14 Billy: Alright, the girl, the girl was standing here, Stankewitz was standing here, and Lewis
15 they were kind of making an L.
16 Officer 1: Might have been and L shape if you connected the dots up?
17 Billy: Mhmm, and then Lewis is standing here.
18 Officer 1: Ok.
19 Billy: Lewis started walking to the car and then he started getting in then I looked over like
20 that and seen her shoot her, and then that's when they come running to the car.
21 Officer 1: Ok, when Lewis was out there did, he have kind of a weapon with him?
22 Billy: He had a knife.
23 Officer 1: Was the knife out?
24 Billy: The knife was out of the case.
25 Officer 1: I mean, how was he holding the knife?
26 Billy: He was holding it like this.
27 Officer 1: Ok, you're describing your right hand.
28 Billy: Yea.

1 Officer 1: With the blade up in the air?
2 Billy: No, he has laying, like on his leg, like this.
3 Officer 1: Just holding it.
4 Billy: Uhhuh.
5 Officer 1: Knife was out, you could see the blade. Did he have it with him whenever he got out
6 with the girl?
7 Billy: I don't think so.
8 Officer 1: You think he was unarmed?
9 Billy: Yea.
10 Officer 1: Do you know where the knife was?
11 Billy: I think at that time right where the console was. You know where console is? Think
12 it was between the between the seat and the console.
13 Officer 1: Console that goes down the middle of the car?
14 Billy: Mhmm.
15 Officer 1: Ok, Now Billy. When you uh, ok, so the girl was shot. ok, Stankewitz got back in the
16 car, Lewis was in the car, talking, Menchaca and you, right?
17 Billy: Mhmm.
18 Officer 1: Anybody else in the car?
19 Billy: (No).
20 Officer 1: Ok, where did you go then?
21 Billy: That's when I went to that bar.
22 Officer 1: That's when you went back to the Seven Seas? or went to the Seven Seas?
23 Billy: Yea, and they tried to sell that.
24 Officer 1: Ok, who is they?
25 Billy: The, Teena, Chris is the one that walked in and tried to sell it.
26 Officer 1: Christine Menchaca?
27 Billy: Yea, and then she asked Lewis, she goes " Lewis, won't you go in and see what's
28 taking her so long you know?" and then that's when the two sheriffs came up. And then Teena seen

1 them come up you know, and I was already scared. I was scared they were gonna shoot me, so
2 Teena goes "Billy, you better tell them that your name is Billy Lewis," So I told them, I go, so they
3 asked Teena, they go asked Teena what's her name and they asked Doug and they asked me, I go
4 "Billy Lewis" cause they would've took me out and shot me too.

5 Officer 1: Who?

6 Billy: Stankewitz man, they were driving through all kinds of dark streets that's how come
7 I didn't say nothing.

8 Officer 1: Alright, now Billy. When the police officers came up to the car, Topping was in the
9 car, Teena, and you were in the car.

10 Billy: Mhmm.

11 Officer 1: Where was Stankewitz?

12 Billy: Stankewitz was on the passenger side, front seat.

13 Officer 1: He was sitting in the right front passenger seat when the police officer came up to
14 the car?

15 Billy: Mhmm

16 Officer 1: Ok, had Lewis gotten out of the car and go on into the bar?

17 Billy: Yea Lewis and then, she said uh.

18 Officer 1: Who is she?

19 Billy: Teena goes, she told the officers, "yea can you go in there and see what's taking
20 them so long?" and then he goes, that officer goes, "why don't you have your brother go in and
21 see?" So, Stankewitz was getting out of the car and he just opened the door and looked over and
22 saw they were coming so he got back in the car. and then they got back into the car, and then that's
23 when the, Teena went over, we took off, that's when Teena was handing the gun back to
24 Stankewitz. and Stankewitz put it right here on his lap. And then that's when we went out to Clovis
25 to, over someone's house to see if he got any, anymore .25 shells. and then that's when uh, someone
26 told them out in Clovis that my mom was uh, she had put a, what do you call that?

27 Officer 1: A missing person... (inaudible).

28 Billy: Yea.

1 Officer 1: For you?

2 Billy: Yea, and I told them, I go, well that's why I wanted to go home. So, then they took
3 me home. That's when I told my probation officer, and I told some detectives out there what
4 happened.

5 Officer 1: ok, now Billy, when you picked up Christine Menchaca, at what you think was the
6 Joy and Joy, did anybody tell Christine Menchaca that the car was stolen? that the car was hot?

7 Billy: I think Teena did.

8 Officer 1: Ok, did anybody tell her who the girl with the red hair was?

9 Billy: Teena did.

10 Officer 1: She did? what did she tell her?

11 Billy: I think Teena told her that they got the car from Modesto. And they had brought her
12 down with the car. And then she still got in the car. But then when they brought her down, when
13 they were bringing her down, they told her, they, go "well when we get downtown Joy and Joy,
14 we'll let you out of the car and back. And then we're gonna go on our own and go back." So, when
15 we got downtown, right there where Christina picking up, I started getting out of the car because
16 they said when we got to Joy and Joy that they were going to let her have it. You know, so I start
17 getting out of the car and Stankewitz, told me "get back in the car" so I just got back in the car and I
18 sat down. And that's when Christine came up, I think. Yea that's when Teena went in to get
19 Christine. And then Christine came out, Teena got back in the car and then that's when we left.

20 Officer 1: That was right before the girl was shot?

21 Billy: That was, yea, right before.

22 Officer 1: Ok, now you say when you went to the Seven Seas. The time when the police
23 officers came up, that you went in to get rid of the girl's watch. Is that it, not you, but Christine and
24 Teena went in to see about getting rid of the girls watch?

25 Billy: Yea, mmmm.

26 Officer 1: Ok, who had the watch when they went in there? Do you know?

27 Billy: Christine did.

28 Officer 1: Who gave the watch to Christine?

1 Billy: Teena.

2 Officer 1: What about, you said that there was money taken from, uh, I'm going to call her
3 Theresa, that's the name of the girl that was killed ok. Now, did Teena give Christine any of the
4 money that was taken from Theresa?

5 Billy: When we made a stop at that Olympic Motel, he gave her let's see, I think it was
6 \$20.

7 Officer 1: Who did?

8 Billy: Uh, Teena did.

9 Officer 1: Ok.

10 Billy: To pick up two bags right there.

11 Officer 1: Alright, so, when the officers, did you know whether or not they ever got rid of the
12 watch?

13 Billy: No, I don't, they might have, because they dropped me at Pinedale when they left
14 again. But I don't know if they got rid of it or not. Because all I seen, they didn't get rid of it at the
15 Seven Seas though.

16 Officer 1: You know they didn't get rid of it at the Seven Seas?

17 Billy: I know that because they said no one in there wanted to buy it so we went to Clovis,
18 and to see if they had any more 25 shells, and then they took me home and they still had the watch.
19 So I don't know if they got rid of it.

20 Officer 1: Ok, did anybody ever have sex with the girl?

21 Billy: (No).

22 Officer 1: Did anyone ever threaten to have sex with the girl?

23 Billy: (No).

24 Officer 1: Ok, Now, I actually got one question that I can't, question about sexual activity, I
25 can't read it.

26 Officer 2: When you were stopped in Manteca, in the white Oldsmobile.

27 Billy: Mhmm.

28 Officer 2: Did Stankewitz have the gun on him at that time?

1 Billy: No, I don't think so, I think it was inside the bag. When of them bags, you carry your
2 clothes and stuff in. I think it was in there.

3 Officer 2: Ok, Billy I wanted to ask you about that, and we're going to go ahead and ask
4 anyway, ok.

5 Officer 2: Now you went up to Sacramento, with Teena.

6 Billy: Mhmm. And Rosie walker.

7 Officer 2: Ok, and Rosie Walker. Ok, now when you're on your way back, uh, from Manteca,
8 when you're on your way back from Sacramento, you were in a car, and Oldsmobile. Remember
9 that white Oldsmobile?

10 Billy: Mhmm.

11 Officer 2: Ok, what kind of, where did they get that car?

12 Billy: I don't know where they got it, they had it when they came down to Fresno.
13 (inaudible) Fresno.

14 Officer 2: Who was in the car when you stopped in Manteca?

15 Billy: Alright, it was me, Stankewitz, uh, Teena and Mary, Stankewitz's mother, and this
16 guy we call Rodger dodger that's Stankewitz's brother and Lewis.

17 Officer 2: Rodger dodger, how old is he? Like 17?

18 Billy: Yea.

19 Officer 2: Alright, and Lewis. Was there another man there? about 30 or so years old?

20 Billy: Oh yea, JC.

21 Officer 2: What's his name?

22 Billy: I don't know his name, they just kept calling him JC.

23 Officer 2: Ok, Now, Billy, when you stopped, ok, you got stopped by the police right?

24 Billy: Mhmm.

25 Officer 2: In some little town, right?

26 Billy: Mhmm.

27 Officer 2: Officers got everybody out of the car.

28 Billy: Mhmm.

1 Officer 2: And they took you in, and put you in a holding tank? Holding cell?

2 Billy: Yea, they...

3 Officer 2: What did they do with you?

4 Billy: They had us up in the front, right there you know right in the clear. and then we're

5 sitting there for about an hour, hour and half. And they told us, I told them that I had to use the

6 restroom. Stankewitz, they took all three of us, Me, Lewis and Stankewitz, you know, back to use

7 the restroom. And then uh, they brought us out and then that officer comes up and says "we got

8 some good news, we got some bad news." And the officer goes "well, the good news is, you guys

9 can go, the bad news is, the car stays." He said, "because we haven't gotten a hold of your uncle,"

10 talking about Teena's uncle, and that's all he said then we left.

11 Officer 1: Alright, Billy, now, that was early in the morning. That was real early in the

12 morning.

13 Billy: Yea it was about 4:30.

14 Officer 1: Yea, it was still dark outside. ok, now you got a whole bunch of your people. Did

15 you try and hitchhike somewhere?

16 Billy: No, we just walked up, they told us, where bus people was and we walked about two

17 blocks to the bus people, but it was closed, so we sat right there in the donut shop until about 6

18 o'clock in the morning and then we missed that bus. And then there was another one at 9

19 something, and we missed that one. and then we missed them all the way up until, bout 10 o'clock,

20 and they wanted to stay and catch the 2 o'clock bus.

21 Officer 2: Who is they?

22 Billy: Mary, Rodger dodger, JC. And then Lewis goes, Mary asked me if I was going to

23 hitchhike, I go 'yea' and then Lewis goes "I'll hitchhike with him." So, we're in the back. Stankewitz

24 and Teena, they started out first. And then we started to hitchhike, and then we got a ride and then

25 we got right up there and we asked them to stop and pick up them two. and they said yea, so we

26 hitched a ride up to the freeway. and then from there...

27 Officer 2: Who hitched a ride up to the freeway?

28

1 Billy: Me, Teena, Stankewitz and Lewis. When me and Lewis got in the car, we asked if
2 they could stop off there and pick up our friends you know?
3 Officer 2: Which friends?
4 Billy: Stankewitz and Teena.
5 Officer 2: Ok, where was the guy you call Rodger Dodger? Mary Stankewitz and JC?
6 Billy: They stayed at the bus stop. They were going to wait for the bus to come here I
7 guess. Or uh, Sacramento.
8 Officer 2: Ok, did you ever see him again that night?
9 Billy: Nope.
10 Officer 2: Ok, now you, we're going to back up again a little bit. When you were stopped by
11 the police officer, we asked you about the gun Stankewitz had. And you say it was in a bag? You
12 think it was in a bag?
13 Billy: Nah it was inside of a case. I told him.
14 Officer 2: But whenever the officer, do you remember the officer kind of searched people?
15 Whenever he stopped you guys. Did the officer search you?
16 Billy: Nah, well the officer searched us when we were in, when we were here.
17 Officer 2: No, remember whenever the officer stopped the car in that little town,
18 Officer 1: The Oldsmobile.
19 Officer 2: The Oldsmobile.
20 Officer 1: Do you remember the officer stopping you and taking you out of the car there?
21 Billy: Uh huh.
22 Officer 1: Where you searched then?
23 Billy: No.
24 Officer 1: Did they take you to the police station after that?
25 Billy: Yea.
26 Officer 1: Ok where you searched there?
27 Billy: No.
28 Officer 1: Where was the gun?

1 Billy: The gun was in that little bag I guess. The sack thing.

2 Officer 2: What kind of sack was it?

3 Billy: It was like you know, them decorated sacks where you put clothes and stuff in the
4 plastic ones.

5 Officer 2: Do you mean just a little, like a plastic bag?

6 Billy: Plastic sack with designs on it.

7 Officer 2: Shopping bag?

8 Billy: Yea.

9 Officer 2: A little plastic... ok. You mean the whole time, was that, Stankewitz was holding that
10 gun the whole time that you were in the police station?

11 Billy: It was in the police station, but he wasn't holding it. Mary was holding the bag.

12 Officer 2: Mary Stankewitz?

13 Billy: Yea

14 Officer 2: Doug's mother.

15 Billy: Uh huh.

16 Officer 2: She left the bag, who?

17 Billy: And then when we got over to the donut shop, Doug said, well we're not going to
18 wait here forever so, he told Lewis, hand me that bag, so he got the gun out and stuffed it in his
19 pants. and he and JC went out somewhere. and they came back about an hour and half later and
20 said, it's no good. So, they waited about a half hour and they went out again. And they came back
21 and they said "nothing." So, we were sitting there waiting for the bus.

22 Officer 2: Did they have any money when they came back? The second time?

23 Billy: No, I don't think so.

24 Officer 2: Did they ever talk about robbing a man? a Mexican man? Of his money? Shooting at
25 him?

26 Billy: They just, all I heard was they talking to his mom saying "we'll go and rob
27 somebody" That's all I heard. Then I'm just sitting there. What I was gonna do, I was going to wait
28 there for the bus. But then, Mary came up with this uh, idea saying well you guys better... because

1 she told us she was gonna let us ride on the bus and then when uh she told us, she goes "well you
2 guys better start hoofing it."
3 Officer 2: Mary is...
4 Billy: Yea.
5 Officer 2: Doug Stankewitz's mother. Ok, so now. Now I think I understand. You guys clear on
6 that?
7 Officer 1: You don't recall anywhere between Manteca and Chinatown here in Fresno of Doug
8 robbing a man?
9 Billy: No.
10 Officer 1: Firing a shot at him?
11 Billy: No.
12 Officer 2: If he did you weren't there, is that it?
13 Billy: Right.
14 Officer 2: Ok, so now it's like, it's about, you hitch hike over the freeway, about what time is
15 this?
16 Billy: We got a ride from Sacramento to Modesto. I see it was about, 10 or 11 o'clock, we
17 got a ride. from Sacramento to Modesto.
18 Officer 2: Wait a minute. You were already... you got stopped in a town called Manteca.
19 Billy: Yea
20 Officer 2: You had come from Sacramento in the Oldsmobile, right?
21 Billy: Oh yea. We were, we come from Sacramento in the Oldsmobile, and then the
22 Oldsmobile started messing up, you know like, and everybody said, "it needs oil, it needs oil" so
23 they bought some oil, we put it in and it was still clanging you know, so we go, "it needs
24 transmission fluid, it needs transmission fluid." So, while I was there holding up the hood, they
25 poured transmission fluid, in, naw, then Mary stabbed a whole in deal. In the can with a knife. And
26 then that's when uh, the cop said, "shut the hood, put your hands on the hood." So, we did it, and
27 that's when they took us in and let us go. And then from there, we were at, the bus stop, and the bus
28 stop was closed, so we went to the donut shop, we stayed there for about two or three hours, and

1 then from there, we went over to the bus stop in the morning, and we were sitting around there for
2 about 3 or 4 hours, and then that's when me, Stankewitz, Teena and Lewis started hitchhiking.

3 Officer 2: Where did you hitch hike to?

4 Billy: From that little town, we hitchhiked to Modesto.

5 Officer 2: Hitchhiked to Modesto. Now what time did you get to Modesto?

6 Billy: We got there about 1 or 2.

7 Officer 2: Ok, and what kind of car did you get a ride in?

8 Billy: Uh, let's see. A brown truck, I think it was a dodge.

9 Officer 2: Ok, did you talk to the man at all?

10 Billy: Nah me and Lewis were in the back.

11 Officer 2: was there anything unusual about the truck?

12 Billy: Nah

13 Officer 2: I mean, was it a new truck, was it an old truck?

14 Billy: It was a new truck.

15 Officer 2: And was it a little pickup or a big truck?

16 Billy: Big truck. It was like a dodge pickup. It was brown, I don't know what kind it was.

17 Officer 2: Where did the man go after he dropped you off?

18 Billy: We were in Modesto, then when we pulled up on the exit, he dropped us off. And
19 then he went that way, you know. Down towards that way.

20 Officer 2: He turned off the freeway?

21 Billy: Yea, and the store was over on this side. And then me and Lewis say "we'll keep on
22 hitchhiking" So, we stuck our thumb out, we didn't get a ride.

23 Officer 2: Let me ask you, let me back up, you turned that way you say,

24 Billy: (Ya).

25 Officer 2: He took the right exit off the freeway?

26 Billy: Yea.

27 Officer 2: Ok, in Modesto?

28 Billy: Mmhmm.

1 Officer 2: What did the man look like?

2 Billy: I don't know, I didn't even look at him. We were in the back, in the back of the
3 truck.

4 Officer 2: Ok, do you, do you have any idea if he was Mexican?

5 Billy: He was white.

6 Officer 2: He was white?

7 Billy: Yea cause when he stopped and pulled up, I seen his face. But I don't know what he
8 looked like. I know he was a white guy though.

9 Officer 2: Could you tell whether or not he was a young man, or an older man? Did he have
10 long hair? Short hair? Anything about him.

11 Billy: He had short hair. He had it short like him.

12 Officer 1: Like Detective Lean?

13 Officer 2: Alright now, so when you were dropped off there what did you do?

14 Billy: Me and Lewis started hitchhiking down the freeway. And then Doug goes like, he
15 looks down at us and he goes like that.

16 Officer 2: You mean he motioned with his hand for you to come over to him?

17 Billy: Yea, so we walked up there, and then we walked across the freeway to that store, K-
18 Mart, and then he told us, first, we were right here and there's a little building like right here. Me
19 and Lewis was standing there and told us to wait here, don't move. So, Teena and him went
20 walking through the parking lot. And they walked all around K-mart parking lot. So, I told him,
21 c'mon let's go over and hitchhike, you know me and Lewis did. So, me and Lewis started walking,
22 and they were right behind us. So, we started hitchhiking again. He called us back up again, and
23 then that's when we came back. And they started looking around this other deal. The other parking
24 lot. And there was none. Me and Lewis went back over to hitchhike and they were right behind us.
25 And then it started raining real hard. So, we went back. And then that's when I was standing in
26 front of k-mart right there by the telephone booth. And then that's when that lady walked out. Uh,
27 the one that got shot.

28 Officer 2: Theresa.

1 Billy: She walked out, and Teena went walking right behind her and then Stankewitz is
2 walking on the other side of the road. So, whenever she got into the car. She didn't get time to shut
3 her door yet. Teena pushed her over and that girl was honking her horn. And then Stankewitz went
4 around this side and that Lewis guy got in unlocked the door. And then I was still standing there.
5 They had her in the car and everything. And they kept calling my name, "c'mon, c'mon or you're
6 going to walk!" So, I didn't want to walk, so I went over and got into the car. I didn't say nothing, I
7 didn't do nothing.

8 Officer 2: Did you see Stankewitz with a gun? Whenever the girl got in the car? When Teena
9 forced the girl into the car?

10 Billy: Yea

11 Officer 2: Stankewitz had the gun?

12 Billy: Mhmm.

13 Officer 2: What did Lewis have?

14 Billy: Lewis had that knife.

15 Officer 2: He had that knife?

16 Billy: Yea

17 Officer 2: Ok.

18 Billy: What do they have me in here for anyway?

19 Officer 2: Well, the whole point is, Billy, to be honest with you, because everybody was
20 involved in the killing, you know, the murder of the girl. That's why you're here.

21 Billy: Mhmm.

22 Officer 2: We're trying to weed through this to see who did what and when.

23 Billy: I didn't do nothing man. I was just sitting back.

24 Officer 2: Well I understand that you were in the car. And that you didn't shoot the girl or
25 anything like that. I understand all that. But uh, I want you to understand what we're trying to do is
26 we're trying to go through this and figure out what happened, ok. And we're trying to make that
27 decision as reasonably as we can, as fairly as we can.

28 Billy: So, when will all this be cleared up?

1 Officer 2: Well, I don't know how long it's going to take us. We're going to go talk to some
2 other people and see what's going on.

3 Officer 1: Billy, what happened to your...

4 Billy: (inaudible).

5 Officer 2: Ok, we just finished one side of the tape. We're starting side two. Alright, now.
6 Billy, when the girl was shot, you previously stated that Stankewitz made a statement, to the effect
7 that he really dropped her.

8 Billy: (inaudible).

9 Officer 2: And Lewis said something?

10 Billy: Yea, Lewis goes, "yea you dropped her." And then they started laughing.

11 Officer 2: Lewis laughed? How about Stankewitz?

12 Billy: Stankewitz was laughing anyway. Dudes psycho.

13 Officer 2: So, what about, did they talk about it anymore after it was done? After the girl had
14 been shot?

15 Billy: No.

16 Officer 2: How about you, did you say anything?

17 Billy: I told em, I go, you know that was cold. and he goes "man don't be talking her, its
18 over man." That's all I said.

19 Officer 2: What about Teena?

20 Billy: Teena didn't say nothing. Just told em, told Chris[tine] she wanted to sell that watch.
21 Go to the Seven Seas.

22 Officer 2: And what did Christine say?

23 Billy: We went over there and tried to sell it and that's when we went to Clovis and then
24 dropped me off.

25 Officer 1: Ok, I think I finished my questions.

26 Officer 2: Billy, at any time when they took the young lady out of the car, where was she at? In
27 the back seat?

28 Billy: Mhmm.

1 Officer 2: When they took her out, and you saw what transpired out there. Uh, what did Teena
2 and Christine say at that time?

3 Billy: They didn't say nothing, Teena was just sitting there, getting ready to drive off, I
4 guess. That's when Lewis came in and walking to the car and then Stankewitz shot her. And then
5 they got in the car, and then Teena, she drove off and then Doug goes "drive slowly, drive slow
6 (inaudible) bake something." So, she just drove off.

7 Officer 2: But they hadn't uh, she didn't say anything about when they took her out of the car.
8 Did Christine say anything?

9 Billy: No, I don't think so.

10 Officer 2: You can't recall anything.

11 Officer 1: Is that it?

12 Officer 3: During the course of the events, from the time of the kidnapping of the girl there in
13 Modesto, until the time of her killing. Did you or any other member of the party, involved in this
14 thing, been drinking?

15 Billy: No.

16 Officer 3: You hadn't had anything to drink? You didn't see anybody else drink?

17 Billy: No, until after.

18 Officer 3: After, ok. Up that time, up to that time again. From the time of the kidnapping
19 through the killing of the girl. Did you see anybody take any narcotics? Actually see anybody take
20 any narcotics?

21 Billy: No.

22 Officer 3: Anybody smoke any marijuana? Nothing? Everybody was straight?

23 Billy: Mhmm.

24 Officer 2: You're shaking your head, you mean no. You didn't see anything.

25 Billy: Nah, I didnt see nothing. But they went upstairs, up to the Olympic Motel, I don't
26 know what they did up there.

27 Officer 3: But you did not personally see any member of this party that was involved in the
28 killing of this girl take any alcohol or drugs in your presence?

1 Billy: (No).

2 Officer 3: And neither did you.

3 Officer 1: When they came back from the Olympic motel were they acting alright?

4 Billy: Nah, they were acting kind of goofy to me.

5 Officer 1: What do you mean how goofy?

6 Billy: They were, she was driving crooked. Cause she was closing her eyes every once in a
7 while.

8 Officer 2: Teena?

9 Billy: Yea, and then Doug was doing the same thing. That's what I mean by goofy.

10 Officer 1: Yea, but you...

11 Billy: I can't say they took anything, but to me it looked like they did. But I can't say
12 anything. I didn't see em.

13 Officer 1: They didn't say anything?

14 Billy: They just said go pickup in Calwa.

15 Officer 2: So, it was your impressions they hadn't even scored. They hadn't been able to buy
16 anything. Is that what you're... assuming?

17 Billy: I think they got some at the Olympic Motel. But I think they were just using Calwa
18 for to do her under at.

19 Officer 1: But they said that they were going to go score in Calwa?

20 Billy: Yea.

21 Officer 1: Who said that?

22 Billy: Doug and Chris. Doug asked Chris, "do you know of any other place?" And then
23 Chris goes, "yea in Calwa."

24 Officer 1: Doug asked Chris "do you know of any other place?"

25 Billy: And she said Calwa. So, they must have already had it planned out when they came,
26 when they were walking down the stairs.

27 Officer 1: Or they were going out there to get something and they decided to kill her along the
28 way.

1 Billy: Mhmm.
2 Officer 1: Ok, I don't have any more questions.
3 Officer 2: Ok, the time is ten thirty-five hours. and the day is the 11th, February 1978. This is
4 case number 78-1809. And this interview was conducted in room 2 at Juvenile Hall. Present is
5 Detective Tom Lean, Mr. James Ardaiz, District Attorney's office, and myself, Christiansen.
6 Officer 2: Ok, we're going to shut off the tape.

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DECLARATION OF FAUSTINO BALDENEGRO, JR.

I, Faustino Baldenegro, Jr., declare and state as follows:

1. I am a JD candidate at Golden Gate University School of Law, with an anticipated graduation date of Spring, 2022. All of the facts contained in this declaration are known to me personally and if called as a witness, I could and would testify thereto.
2. On or about July 15th, 2020, I listened to and transcribed the audio recording of Billy Brown dated 2-11-78 in its entirety, word for word. The transcription that I prepared is attached.
3. I declare under penalty of perjury that the foregoing is true and correct.

August 31, 2020

Fontana, CA



Faustino Baldenegro, Jr.

Supp # 1

FRESNO COUNTY DISTRICT ATTORNEY

BUREAU OF INVESTIGATIONS

INVESTIGATION REPORT

Defendant: DOUGLAS RAY STANKEWITZ D.A. Case No.: 78-1060
 Charge: PC 187 Date of Report: 4/27/78
 Originating Agency: _____ Defendant Local No.: _____
 Originating Agency No. _____ CII No.: _____
 FBI No.: _____

Approximately 2:30 p.m., 4-14-78, BILLY JOE BROWN was brought to the office of JAMES ARDAIZ for an interview.

BROWN was asked how far the defendant was from the victim when the shot was fired and stated just a couple of feet or words to that effect. ARDAIZ then read lines 3 through 16, page 126, of the reporters transcript of the preliminary hearing and asked BROWN if that was correct. BROWN stated no and related that he had meant that he, while seated in the vehicle, was approximately five yards from the defendant. BROWN was then asked to demonstrate the defendant's location in relation to that of the victim when the shot was fired. Using the undersigned investigator as a subject, BROWN held both hands together indicating the defendant held the weapon with both hands, and stretched his arms out to a position near and pointing toward the back of undersigned investigator's head. BROWN was asked to estimate the distance between his hands and the back of undersigned investigator's head and stated between ten and fifteen inches.

td

Copies to: _____ Investigator: J. SPRADLING
 DA-66 _____ Bureau Number _____ Signature: _____

2.2

37

FRESNO COUNTY DISTRICT ATTORNEY

BUREAU OF INVESTIGATIONS

INVESTIGATION REPORT

Defendant: DOUGLAS STANKEWITZ D.A. Case No.: 78-1060
 Charge: 187 PENAL CODE Date of Report: JUNE 13, 1978
 Originating Agency: _____ Defendant Local No.: _____
 Originating Agency No.: _____ CII No.: _____
 FBI No.: _____

On JUNE 8, 1978, the undersigned Investigator, accompanied by Deputy District Attorney James Ardaiz, Sergeant Bob Smith of the Fresno County Sheriff's Office Identification Bureau, and a witness in this case,

BILLY BROWN,

proceeded to the K-MART STORE in MODESTO. Upon arrival, approximately 1:40 p.m., same date, BILLY BROWN was asked to point out the approximate location of the victim's vehicle at the time of the incident. BILLY BROWN pointed out the following described location:

STALL 7, COUNTING FROM THE STORE, OF PARKING AISLE 5, COUNTING FROM THE SOUTH END OF THE PARKING LOT, FACING IN A S/E DIRECTION.

This location is approximately 140 feet from the two telephone booths at the front of the store where BILLY states he and the Defendants loitered prior to the incident. The telephone numbers of the two pay phones are:

577-9146 FOR THE ONE ON THE LEFT AND
577-9555 FOR THE ONE ON THE RIGHT.

BILLY was also asked to point out the telephone he used to call his ~~SISTER~~ in FRESNO and pointed out a pay phone, 577-9172, at the UNION 76 STATION, on the S/W edge of the K-MART parking area. The store front, parking areas, and pay phones were photographed by Sergeant Bob Smith.

Upon returning to FRESNO this Investigator accompanied BILLY to his ~~home~~ residence at:

(CINDY JARAMILLO)
3131 EAST IOWA

and obtained a copy of her long distance phone bill covering the date of FEBRUARY 8, 1978. The statement shows a call made to the NUMBER 239-9694, in MANTECA, on FEBRUARY 8, 1978, and a collect call from a MODESTO pay phone on the same date. NUMBER 239-9694 is located at:

WELCH'S CAFE IN MANTECA.

cvd

Copies to: _____ Investigator: JAMES SPRADLING
 DA-55 _____ Bureau Number _____ Signature: _____

**OFFICE OF THE FRESNO COUNTY DISTRICT ATTORNEY
HOMICIDE UNIT**

DISCOVERY RECEIPT

Prosecutor: Noelle Pebet
Defendant: Douglas Stankewitz
DA Case #: 78H01
Court Case #: CF78227015

Counselors-

Enclosed, please find one CD titled "CASE PHOTOS PROVIDED BY FSO" which contains eighty (80) photos: #82710001- #82710005- depict autopsy photos, #82710006- #82710007- depict the crime scene; #82710008- #82710015- additional autopsy photos; #82710016- #82710017- unclear; #82710018- #82710023- photos of items of evidence; #82710024- #82710031- additional photos from the crime scene; #82710032- #82710043- additional photos of items of evidence; #82710044- #82710050- additional photos from the crime scene; #82710051- #82710057- additional black and white crime scene photos; #82710058- #82710066- depict victim's vehicle; #82710067- #82710070- black and white phone booth photos; #82710071- #82710079- black and white photos from Kmart; and #82710080- additional photo of an item of evidence.

Originally a CD was provided to you all containing 3961 pages of documents. I have since Bates stamped my copy. I recently requested a new and complete copy of Fresno County Sheriff Department Reports #78-1995 and #78-5819/78-1809. I believe that all of the documents I received in response to said request have previously been provided, however in the abundance of caution, I have Bates stamped those reports and included them within the CD titled "Stankewitz Discovery August 2017" as Bates 3962-4200. I also received a copy of documents found in the ID Technician's file and have included them on the same CD as Bates 4201-4221.

Additionally, I have provided Bates stamped copies of the Property Tags from FSO. Included in those tags are several of the items that you have requested in your discovery motion. Obviously, I cannot release those items to you. However, you can contact my DA Investigator, John Ciaccio at 559-600-7086 or 559-974-9893 to coordinate a viewing of the evidence booked at FSO. One suggestion might be arranging said appointment on Friday, August 11, 2017 when you are all here.

I have also included the Court Exhibit Records for items of evidence that were admitted during the previous trials. Again, some of the items you are requesting can be found there. I have included photos of the photos booked just in case they were different from those I had received. If you would like to arrange a time to view those items please contact the Court Evidence Clerk Cameron Pishione at 559-457-4920 or cpishione@fresno.courts.ca.gov.

With respect to your Discovery Motion, here is the information I have:

Item #1 has now been provided

Item #2 is believed to be the large magnifying glass that includes a light affixed to a table with a metallic arm

Items #3 through 7- pertain to the blood draw on the Defendant. An envelop and blood vial appear to be evidence admitted at the last trial and are with the Evidence Clerk referenced above. As for the results of the blood draw, you have that report in your previously provided discovery.

Item #8- appears to be booked at FSO

Items #9 and 10- pertain to the hand swabs of the suspect and the test results. Item #9 is booked in the FSO Property Room and the test results were previously provided to you in the original discovery packet.

Items #11-14, #19 and #23- pertain to the firearm recovered, any casings recovered, bullets recovered, test fires and results. The firearm, bullet and several casings (test fires or recovered items) are all booked either in the FSO Property Room or with the Court Exhibit Clerk. Everything we have is either in one location or the other. As for the tests results, there are various reports and they have all been provided in the original discovery packet.

Item #15- They have now been provided

Item #16- I believe this item is either in the FSO Property Room or with the Exhibit Clerk. If it is not, then I do not have it.

Item #17- There is no video from KMART as was indicated on the report

Items #18, 20, 21- have all now been provided

Item #22- was previously provided in the original discovery packet

Item #24- I have no SDT or records pertaining to any medical treatment Billy Brown received on or about September 13, 1983.

Item #25- the discovery I have pertaining to Mr. Brown, Ms. Menchaca, Ms. Toppings and Mr. Lewis are the same reports and items you have received thus far.

As you can see on the FSO Property Tags, there are some cassette tapes of interviews of the suspects in this case; efforts are being made to make copies of those for all of you.

If there is anything else that you need or any questions, please do not hesitate to contact me.

Thank you

Noelle Pebet

Defense or representative's name

Signature

Date

FRESNO COUNTY SHERIFF'S DEPARTMENT
REQUEST FOR EVIDENCE EXAMINATION

NO. 910
DATE 5-5-78
TIME 2:15 PM

PLEASE TYPE OR PRINT:

CRIME CLASSIFICATION PC 187, 207, 211

DATE COMMITTED 2-8-78

VICTIM (Name) THERESE HERRERA

CASE NO. 78-1809

I.D. OFFICER Det. [Signature]

78-1995

ITEM NO.	DESCRIBE EACH ITEM OF EVIDENCE TO BE EXAMINED
#1	K-MART STORE & PARKING LOT IN <u>MODESTO</u> (SCENE OF ABDUCTION)
#2	CORNER OF VINE & 10TH, CALWA, SCENE OF ACTUAL 187.
#3	HAYS AVE. 1/2 MILE NO. CALIFORNIA, SCENE OF PC 217 IN CASE # 78-1995

TYPE OF TESTS, ANALYSIS, OR EXAMINATION REQUESTED

#1 }
#2 } VIDEO TAPE FILM OF ALL
#3 } THREE LOCATIONS FOR PRESENTATION
AT TRIAL ON 6-19-78.

INVESTIGATING OFFICER [Signature]

AGENCY

(J. ARDAIZ HANDLING)

FOR LABORATORY USE ONLY

EXAMINATION RESULTS

Completed photos 6-8-78 (Video did not work)

[Signature]