

## 6 Months After Factious Hiring, Vagnozzi Ditched As Upland City Manager

In a logical but somewhat delayed denouement to an act of political revenge by Upland's lame duck city council last November, City Manager Jeannette Vagnozzi was handed her walking papers this week.

Vagnozzi began working with Upland in the capacity of deputy city manager in 2015,

when she was brought in to assist Rod Butler, who had been hired as Upland city manager in 2014. Butler convinced the council to fund the deputy city manager position and hired Vagnozzi, who after 26 years with the City of La Verne, had risen from the post of intern to that of assistant to Bob Russi, La Verne's city manager. Vagnozzi's

deputy city manager duties in Upland included serving as city clerk, administrative services director, human resources manager and risk management director. In 2016, three members of the city council – Mayor Ray Musser, then-Councilwoman Debbie Stone and Councilman Gino Filippi – grew disenchanted with Butler and

terminated him without citing cause, giving him a severance package equal to nine months salary and benefits as he headed out the door. The council had Vagnozzi fill in for Butler as acting city manager for less than a week, and brought in the Upland's former police chief, Marty Thouvenell, to serve as interim city man-

ager and simultaneously head up a recruitment drive to find a replacement for Butler. What was originally intended to be no more than a three-month stint for Thouvenell as interim city manager prolonged itself into an 18-month assignment, as efforts to replace Butler stalled. Among those contemplated as But- See P 3

## Exhaustive Seven-Hour Interrogation Did Not Elicit Confession From Merritt

By Mark Gutglueck

In what was potentially to be the penultimate round of testimony in the McStay family murder trial, the defense this week sought to spotlight how the case against the defendant now accused of the brutal slayings, Charles Merritt, is based on a haphazard, incomplete and sloppy analysis of the circumstances and

evidence relating to the family's disappearance and deaths, along with the false investigative bravado of the law enforcement officers who tried but failed to bluff a confession out of the defendant.

Charles "Chase" Merritt, the prosecution maintains, driven by financial desperation that grew out of his unbridled

gambling addiction and utter lack of fiscal discipline, engaged in a series of thefts from Earth Inspired Products, a company owned and operated by his business associate, Joseph McStay, Sr. Through that company, Joseph McStay was selling high end decorative water features – artificial waterfalls and fountains – which he and Mer-

ritt designed and which Merritt manufactured out of steel, glass, rock and other components based upon the specifications outlined by the company's customers and passed along to Merritt by McStay. The prosecution's theory, presented during the initial nine weeks of the trial that began on January 7 of this year, is that Merritt

fraudulently obtained access to the QuickBooks accounting system McStay had set up for the Earth Inspired Products enterprise and on February 1 and February 2, 2010 wrote himself \$7,495 worth of checks. When he learned of what Merritt was up to, either shortly before or perhaps even on February 4, 2010, Joseph See P 2

## Reports Of Federal Officials Dumping Illegal Aliens Locally

Reports have reached the *Sentinel* that U.S. immigration authorities have recently begun to release illegal immigrants that were previously detained by federal authorities into Inland Empire communities and neighborhoods.

According to a source highly familiar with a number of immigrants who had made their way into California without proper documentation,

scores of Mexican nationals who were picked up in the San Diego area after successfully crossing the U.S. Mexico border, were briefly held at a federal facility in San Diego. Those who gave their actual identities and were then checked upon through a database the United States shares with the Mexican government and certified to have no criminal record, were placed See P 2

## Bechtel's Return To Damien Brings With It *Cor Unum Et Anima Una* Intensification



Matt Bechtel

By Grace Bernal

With the opening of 2019 spring football practice at Damien High School, the Spartans' new head football

coach, Matt Bechtel, has transformed the culture of the gridiron at the school, which was first established 60 years ago and now honors St. Damien de Veuster, SS.CC.

As a Damien Alumnus himself who partook in the Spartans' rich football program, Coach Bechtel is ever true to the Damien motto to "*Cor Unum et Anima Una*" and he has rededicated himself in one

heart and one spirit to the betterment of the players he is leading.

His approach to football excellence demands mental discipline in equal measure with physical intensity. The San Bernardino County *Sentinel* has been observing this season's gridiron practice sessions. Academic execution aside from the gridiron is not merely a desired attribute but See P 9

## Yucca Valley Drops Its Tight Restrictions On Home Marijuana Cultivation

The Yucca Valley Town Council unanimously consented last week to lifting the complex and expensive requirements the town had previously imposed on any of its residents seeking to cultivate marijuana within or at their domiciles.

The passage of Proposition 64, the Adult Use of Marijuana Act, conferred upon California

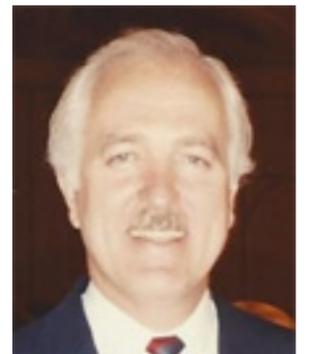
residents aged 21 and over the right to utilize marijuana for recreational, i.e., intoxicative, purposes, subject to a host of regulations. The measure also conferred on those of the age of majority in the state the ability to cultivate up to one half dozen marijuana plants at any given time, pursuant to "reasonable" regulation by local governmental authority.

In San Bernardino County, the City of Fontana led the reactionary charge against the social liberalization the new age of permissiveness relating to cannabis seemed to represent. City staff there prepared, and the city council passed, an ordinance requiring residents seeking to grow their own inside their home to obtain a \$411 permit

from the city, pay for unconstitutional background checks, bring any arrearages on overdue city fees to a close, get not just permission from their landlords if they were renters but a notarized certificate of clearance from the property owner, and agree to allow city officials to inspect their homes at any time of the city's choosing, 24 hours a day.

Mike Harris, a Fontana resident who was represented by the American Civil Liberties Union of California and the Drug Policy Alliance, sued the city. San Bernardino County Superior Court Judge David Cohn in November ruled against the City of Fontana, striking down its ordinance that virtually prohibited Fontana residents from cultivating See P 3

## World Loses LL's Intrepid Transplantation Pioneer Bailey



Leonard Bailey

Leonard Bailey MD, the thoracic surgeon whose daring innovations at the cutting edge of aciurgy and transplantation gained international attention for himself and Loma Linda University Medical Center for more than three decades, died on Sunday May 12.

Bailey succumbed to cancer just a little more than a month after his wife, surgical nurse Nancy Schroeder Bailey who had been with him an intrinsic part of the Loma Linda Heart Team that traveled the globe in dispensing care for hundreds of patients, passed away April 7 following an extended illness.

Leonard Bailey rocketed to international fame on October 26, 1984 when he transplanted a baboon's heart into 12-day-day-old Stephanie Fae Beauclair, who had been born three weeks prematurely and with hypoplastic left heart syndrome, a condition in which the left ventricle of the heart is severely underdeveloped.

Bailey's performance of the procedure on the child was the first xenotransplant involving an infant and the first successful infant heart transplant. Young Beauclair, who became popularized as Baby Fae, lived three weeks after the transplant, See P 18

## Perspective On & Context Of Facts Impacts Conclusions On McStay Family Murder Case from front page

McStay traveled to Rancho Cucamonga, where Merritt was then living, and confronted him about his larceny, threatening to alert authorities, prosecutors allege. After Joseph McStay returned to the home he shared with his family in Fallbrook in north San Diego County, the prosecution's theory continues, Merritt that evening drove to the McStay residence, where he slaughtered the McStays, using a three-pound sledgehammer to bash their skulls in. Merritt then secreted the bodies for two days, in the meantime again fraudulently accessing Joseph McStay's QuickBooks account for Earth Inspired Products, the prosecution maintains, and on February 4, 2010, February 5, 2010 and again on February 8, 2010 issued himself checks made out to himself for a total of \$23,855. On February 6, 2010, Merritt transported the corpses up into San Bernardino County's High Desert, an area with which Merritt was familiar from having grown up in Hesperia where he attended Apple Valley High School for three years in the 1970s, according to prosecutors. There, in a remote area between Victorville and Oro Grande he buried all four of his victims along with the murder weapon in two six-foot long, two-foot wide and 18-inch deep graves he dug in a wash off a rarely-traveled dirt road, according to the prosecution. To confuse the situation, throw authorities off his track and delay a serious investigation into the matter, the prosecution maintains, Merritt then drove the McStay family's 1996 Isuzu Trooper, which yet contained the child seats for Gianni and Joseph, Jr., to San Ysidro, where he left the vehicle in a shopping center parking lot roughly a quarter of a mile from the Mexican

border.

The case put together against Merritt is an entirely circumstantial one built around what the prosecution maintains are fourteen critical "facts." The facts consist of 1) Bank account withdrawals from ATM machines at a multitude of casinos coupled with cell phone records that show Chase Merritt frequented gaming houses on at least 73 occasions between February 2009 and February 2010, establishing that he had sustained substantial gambling losses that had driven him into a state of economic collapse; 2) evidence that the Earth Inspired Products business balance sheet showed that Merritt owed McStay \$42,845 at the beginning of February 2010; 3) eight checks written to Chase Merritt on the Earth Inspired Products banking account totaling 31,350 on February 1, February 2, February 4, February 5 and February 8, 2010 bore the peculiarity of the entire name of the payee, Charles Merritt, being lowercased, indicating they had been forged by Merritt; 4) the four checks written to Merritt on the Earth Inspired Products account on February 5 and February 8 totaling \$23,855 were drafted after the family's disappearance and backdated to February 4, indicating they had been forged by Merritt; 5) Joseph McStay traveled from Fallbrook to Rancho Cucamonga in the late morning to early early afternoon of February 4, 2010 to meet with Merritt before driving back to Fallbrook, which prosecutors maintain is an indication McStay confronted Merritt about the embezzlements from the Earth Inspired Products checking account; 6) Merritt's cell phone records reflect that between a call at 5:48 pm on February 4, 2010 and another call at 9:32 pm on February 4, 2010, his cell phone was powered off such that his whereabouts based on the phone's contact with cellular service towers cannot be ascertained,

indicating he was purposefully evading any electronic tracking of his movements while he traveled from Rancho Cucamonga to Fallbrook when he murdered Joseph McStay and his family; 7) video footage from the security camera mounted on the porch of the home of Jennifer Mitchley living across and slightly up the street from the McStay home in the 3400 block of Avocado Vista Lane in Fallbrook at 7:47 pm on February 4, 2010 captured the image of a vehicle matching the characteristics of the 2000 Chevrolet 3500 pickup/utility truck conversion the Merritt was driving in 2010 coming out of the McStay residence driveway and heading away, an indication Merritt was, according to prosecutors, at the McStay home that evening; 8) an unanswered phone call made from Joseph McStay's cell phone to Chase Merritt's cell phone at 8:28 pm on February 4, 2010 – the last call ever placed from Joseph McStay's never-found cellular device – which prosecutors say was the victim's last desperate dying attempt to inform the world of who had killed him and his family; 9) National Weather Service records showing that there was 1.1 inches of rain in the Victorville area on February 6, 2010; 10) Merritt's cell phone records showing that on February 6, 2010 between 11:30 am and 1:30 p.m Merritt made or received seven calls on his cell phone with his phone connecting to a cellular tower at the 4,522-foot elevation level on the side of a mountain in the Oro Grande area that was some 1.97 miles distant from the two shallow graves where the McStay family was buried, which prosecutors allege is a giveaway that Merritt had crudely interred his victims that day; 11) the existence of two separate sets of vehicle tracks leading to each of the graves, one with a lateral wheel-to-wheel width at the outer edge of

the tires of 76 inches and the other with a lateral wheel-to-wheel width at the outer edge of the tires of 73 inches, the latter of which investigators and prosecutors maintain matches Merritt's truck and thus places him at the graves on February 6, 2010; 12) phone calls made from Merritt's cell phone on February 8 and February 9, 2010 to QuickBooks customer service representatives in which he sought to have the Earth Inspired Products on-line QuickBooks accounting system migrated over into an off-line desktop system and sought, unsuccessfully because he did not have Joseph McStay's password, to have the Earth Inspired Products account data purged from the QuickBooks online data base, an indication, prosecutors say, that Merritt was seeking to cover his tracks in having forged the checks he had written to himself; 13) Merritt's use of the past tense in several of his references to the McStay family when he was interviewed by two San Diego County Sheriff's Department detectives, Troy DuGal and Suzanne Fiske, on February 17, 2010 when they were investigating the disappearance of the family as a multiple missing persons case, which prosecutors have characterized as a slip on Merritt's part that betrays he knew the family was dead because its members had died at his hands; and 14) trace levels of Merritt's DNA found inside the McStay family Isuzu Trooper – on the steering wheel, gearshift and radio knobs – which the prosecution says supports the theory that Merritt on February 8, 2010 drove the vehicle to a shopping mall less than a half mile distant from the Mexican/American border in San Ysidro, where he abandoned it.

During the defense's cross examination of witnesses during the prosecution's phase of the trial and by the presentation of evidence and witnesses after the prosecution rested, the

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defense team of Raj Maline, James McGee and Jacob Guerard have shed considerable doubt on many of the crucial elements of the prosecution's case. A forensic accountant/auditor employed by the defense, Dennis Shogren, demonstrated there was a constant ebb and flow of money into the Earth Inspired Products account with both McStay and Merritt either owing one another money or being due money from the other at various times as project orders came in, were worked on and the final products were delivered to customers. The \$42,845 that the prosecution claims was an arrearage owed by Merritt to McStay was related to the cancellation of two large artificial waterfall orders by two customers, including one who had stiffed the company for \$34,000 owed on a completed project that both McStay and Merritt had agreed to split the loss on, Shogren showed. The eight checks writ-

ten to Merritt in early February with the payee line entirely lowercased had been printed from a vendor registry on Joseph McStay's QuickBooks accounting system that McStay had himself created, another expert hired by the defense, computer forensic analyst Bryan La Rock, testified, discrediting a key portion of the prosecution's basis for asserting that Merritt had forged the checks. The computer forensic analyst was able to retrieve data from the McStay family home computer showing that late in the afternoon of February 4, 2010, Joseph was engaged in designing a water feature using a three dimensional on-line drafting program while being simultaneously engaged in a phone conversation with Merritt, an indication there was still a cordial business relationship between them, contradicting the prosecution's theory that McStay had just recently

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## Feds Releasing Formerly Detained Illegal Immigrants Locally from front page

upon a bus, which shuttled them to Murrietta in Riverside County as well as near Fontana and Colton in San Bernardino County, where they were released.

Information available to the *Sentinel* is that some of the Mexican nationals who were able to contact family members,

acquaintances or associates by phone or other means were located by their contacts and picked up, generally by car or other means of transportation.

Last month there were reports that President Donald Trump had encouraged officials with the Customs and Naturalization Service to "change the attitude and perspective" of the White House's assumed political enemies by releasing immigrants into "sanctuary cities."

## Yucca Valley Town Officials Drop Home Marijuana Cultivation Restrictions

from front page

their own personal stash, opining that “The City of Fontana has gone too far.” Cohn directed the city to redraft its ordinance in keeping with the letter and spirit of the Adult Use of Marijuana Act. Along the way, Cohn indicated that Harris was entitled to legal fees, given that he had to go to considerable expense to prevent the City of Fontana from walking all over him and his fellow pot smok-

ers, violating their U.S. Constitutional rights to be secure in their person and effects, and their rights under the California Constitution and its attendant Proposition 64. On February 6, Cohn offered up his tally of what Harris’s lawyers are entitled to: \$106,916.

In the meantime, the Town of Yucca Valley had instituted its own ordinance. The town’s regulations prohibited anyone from growing the weed on their premises without first submitting a cultivation application to the town’s development director on a form provided by the director, along with proof of payment of the permit

fee. Cultivation applications required that the applicant provide, affirmed under penalty of perjury, the property address where the marijuana was to be cultivated, the name of each person owning, leasing, occupying, or having charge of any legal parcel or premises where marijuana was to be grown, the name of each person participating in the marijuana husbandry, a property owner acknowledgment of cultivation of marijuana at the subject property, affirmed under penalty of perjury, a scaled property site plan and a scaled diagram of the floor plan within the residence or fully enclosed

accessory structure to be used for cultivation at the marijuana cultivation site, and an itemized list of measures taken to comply with regard to odor control, security, electrical, and building and safety provisions, as well as any equipment used for the agricultural endeavor. Marijuana cultivation was not to be visible from anywhere outside the residence or accessory structure and any odors, sounds or other emissions indicating marijuana cultivation were not to be detectable from surrounding properties.

Concerned that some town resident in league with an enterprising at-

torney would soak the town for as much as \$100,000 in legal fees by successfully challenging the town with regard to the issue, town officials revisited the matter, having the planning commission review the ordinance.

The planning commission voted 3-to-2, with its members Mathew Thomas and James Henderson dissenting, to recommend that the town council rescind the permit requirements. Thereafter, on May 7, the town council held a hearing and vote on the matter. Without any public comment or show of opposition or controversy, the council

approved the changes to the town’s ordinance on personal marijuana cultivation, eliminating the need for residents to secure a town permit prior to growing up to six marijuana plants allowed under state law.

“Parts of our ordinance would not pass muster due to that Fontana case,” Town Manager Shane Stueckle said.

Councilman Rick Denison said it was prudent for the town to reduce the risk of it being subject to litigation it would very likely lose.



## Vagnozzi Two Years Ago Aligned Herself With Political Establishment That Has Since Fallen Into Disfavor

from front page

her replacement were Vagnozzi, with her experience as Butler’s understudy and right hand woman, and two other department heads, Community Development Director Jeff Zwack, whose strength consisted of

his overall command of the character of the city, and Finance Manager Scott Williams, who possessed a firm grip on the city’s bleak financial outlook, which was illustrated by a previous auditor’s opinion from the certified public accounting firm Mayer Hoffman and McCann stating that there were such serious questions with regard to the city’s solvency to the point that it was on a trajectory toward being “unable to continue as a going concern.”

At that point, neither Williams nor Zwack nor Vagnozzi impressed Thouvenell enough for him to recommend that the council elevate any of them into the city manager’s role. Rather, for nearly 17 months, Thouvenell remained in place as the city’s acting city manager while an effort to recruit Butler’s replacement dragged on. In that time frame, Musser chose not to seek reelection as mayor in the 2016 election, and Stone successfully vied against then-City Councilman Glenn Bozar to replace Musser. Also elected to the council in 2016 was newcomer Janice Elliott. Following the November 2016 election and the installment of Stone as mayor and Elliott as councilwoman, the council chose to fill the vacancy within its ranks that resulted from Stone’s advancement into the mayoralty and her resignation from the council to do so by selecting Sid Robinson, who had finished in second place in the council race behind Elliott, to serve out the final two years of Stone’s council term.

Over the course of the year that followed, the four-member council majority of Stone, Robinson, Councilwoman Carol Timm and Councilman Gino Filippi went along with Thouvenell’s cost cutting and revenue generating plan to close

out the city’s 110-year-old municipal fire department and annex the entirety of the city limits and neighboring San Antonio Heights into a county fire service assessment zone. This entailed the imposition of a \$153 per parcel per year property tax addition and steering that newly created revenue stream and a share of the city’s pre-existing property tax to the county to have the county fire department take over the provision of fire and emergency medical service in the city. The council majority simultaneously moved to devote whatever savings the city made by shuttering its fire department to plugging its other municipal funding gaps. Only Councilwoman Elliott opposed that move.

The municipal fire department closure and the creation of the assessment zone, which was imposed upon the city’s residents, business owners and property owners without a vote, proved highly unpopular. Elliott’s opposition to the closure of the city’s fire department and the imposition of the assessments antagonized the mayor and her three council colleagues, leading to their removing Elliott from all of her municipal committee assignments and adjunct governmental joint power authority board positions, which did not dissuade her from op-

posing the city’s course on dissolving the fire department.

At that time and within what was then the ongoing political context, siding with what was a majority of four against Elliott, who was a minority of one, appeared safe. While it indeed had no immediate negative repercussions for Vagnozzi, in reality Elliott’s isolation on the council belied the sentiment among a significant portion of the City of Upland’s populace, who saw Elliott as their sole champion on a city council going against their wishes with regard to shuttering the fire department and imposing on them an assessment that was not of their own choosing. While there would be a delay in those chickens returning home to roost, those birds would indeed one day return, and they did not forget the role Vagnozzi had played in the effort to isolate and politically neuter Elliott.

Meanwhile, the search for Butler’s replacement continued. Vagnozzi applied for the post. Ultimately, the council, advised by Thouvenell, overlooked her application and in December 2017 settled upon hiring Bill Manis, who was then the city manager in Rosemead, making his hiring effective as of January 1, 2018. Simultaneously, Vagnozzi was promoted from deputy

city manager to assistant city manager, which entailed an \$8,000 per year salary enhancement.

Manis was hailed all around as the perfect fit for Upland, he seemed to be pleasing his political masters as 2018, an election year, progressed. Indeed, that spring, Manis and Vagnozzi, together with City Attorney Jim Markman, complied with the council majority’s request to draw up articles of censure against Elliott. On May 29, 2018, the council voted 4-to-1, with Elliott dissenting, to censure her, effectively rebuking her for what they considered to be her contrarian attitude. The council majority believed that with such an official blemish on her public record, Elliott’s future political viability would be curtailed.

But with the November election, the first in the city’s history to involve by-district contests in three newly established intracity wards, approaching, the degree to which a large segment of the city’s electorate was unwilling to forgive the council majority for the municipal fire department shuttering and saddling city residents with assessments to pay for something they didn’t want was becoming more and more apparent. Reading the writing on the wall, Robinson opted

Continued on Page 5

## Should County And Local Government Make A U-Turn?

A radio program broadcast in the Inland Empire has taken up the questions of whether county and local municipal government is on the right path or whether it would be best for all concerned that our elected leadership get the message and make a U-turn.

KCAA Radio (1050 AM, 102.3 and 106.5 FM)

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## Single Power-Packed Day Before Merritt Jury This Week from page 2

before caught Merritt embezzling from Earth Inspired Products. Merritt's defense attorney, James McGee, during his cross examination of the prosecution's cell phone expert, FBI Agent Kevin Boles, elicited an acknowledgment that the cell tower 1.92 miles from the grave site was at a significant altitude that made it a preferable cell phone link-up within a large expanse of the High Desert, and that each of the calls involving that cell tower and Merritt's cell phone on February 6, 2010 ended with the call being routed through another cell tower in the area, an indication Merritt's cell phone was not actually near the grave site as the prosecution alleged. McGee also wrung from Boles that cell phones periodically fail to make contact with cell towers even though they are fully functional and powered up, offering a possible explanation as to why Merritt's cell phone appeared to have dropped off the grid during the evening of February 4, 2010. A state licensed investigator specializing in the enhancement and analysis of audio and video recordings as well as forensic photography, image analysis and forensic photogrammetry, Greg Stutchman, testified for the defense, saying that certain features of Merritt's 2000 Chevrolet 3500 pickup/utility truck conversion excluded it from being the vehicle seen in the Mitchley video. The prosecution's own expert witness called to link Merritt's 2000 Chevrolet 3500 pickup/utility truck conversion to the image in the Mitchley video testified that the width of the tires on Merritt's truck from outside to outside measured 71.5 inches, an inch-and-a-half less than the sheriff's department reported, thus excluding it as either of the two vehicles with tire widths of 76 inches and 73 inches

that left tracks at the McStay family grave site. San Diego Sheriff's Detective Troy DuGal testified that in posing questions to Merritt during the February 17, 2010 interview, he and his colleague, Detective Suzanne Fiske, had used the past tense in relation to the McStay family, thus prompting Merritt's past tense responses. Experts in the collection and evaluation of DNA evidence, including the former San Bernardino County Sheriff's Department crime lab technician and criminalist who testified for the prosecution, Don Smith, indicated that the trace amounts of Merritt's DNA found inside the McStay family's Isuzu Trooper were consistent with contact spread of DNA, and that the minute amounts of DNA on the steering wheel were not consistent with Merritt having actually driven the vehicle to the border at San Ysidro, as the prosecution has alleged.

In addition to knocking down several major propositions in the prosecution's syllogism of Merritt's guilt, the defense had also succeeded in propounding its alternate theory, one that holds that another of Joseph McStay's business associates, Daniel Kavanaugh, had far greater motive to bring about Joseph McStay's demise, including the introduction of evidence that six days after the disappearance of the McStay family, Kavanaugh had hacked into Joseph McStay's PayPal account, changed the password and over the next ten months siphoned off more than \$206,000 from Earth Inspired Products, including \$126,000 from the Pay Pal account he had hacked.

Beginning on May 2, Merritt's co-defense counsel, Raj Maline, sought to train his firepower on Sergeant Edward Bachman, who as a detective in 2013 and 2014 was assigned to the McStay family homicide case, eventually became the department's "case agent" on the matter, re-

sponsible for compiling the "book" of investigative reports produced by the department's investigators that was turned over to prosecutors who then used those investigative findings to construct the narrative of guilt for the prosecution of Merritt. Bachman, like virtually all of the investigators who worked the McStay family murders case, was rewarded with a promotion after Merritt was arrested and charged with the murders. As the trial has progressed and elements of the prosecution's case have been demonstrated to be questionable or faulty, suggestions have surfaced that the investigators in the case bypassed or ignored evidence pointing in directions other than toward Merritt's guilt, such that in a rush to judgment they made misrepresentations in their reports to implicate Merritt in ways that fall outside what the actual evidence showed, and in their testimony at trial have come painfully close to perjuring themselves to prevent the prospect of Merritt's conviction slipping beyond the prosecution's grasp.

Maline, who has been handicapped and burdened with a crushing caseload since late April when defense co-counsel Jim McGee fell ill, has carried forward with Merritt's defense, aided by the assistance of the third member of Merritt's defense team, Jacob Guerard. Maline has performed all of the direct examination of the defense witnesses called during the last three weeks of the trial, including those whom McGee had been prepared to question. Previously with Bachman on the stand, Maline had made substantial inroads against the prosecution's case by showing that Bachman and other prosecutors failed to fully explore investigative leads, look into specific areas of the case relating to critical evidence, follow logical trails of deduction relating to evidence they had come across and either did not com-

plete interviews with certain individuals, witnesses or alternate suspects or failed to follow certain specific lines of inquiry with witnesses or suspects they did interview.

This week, on the only day the jury was present, Monday May 13, Maline played for the jury 47 minutes of redacted passages from the videotaped interrogation Bachman and then-Detective and now Sergeant David Hanke conducted of Merritt on October 22, 2014, less than three weeks before Merritt was arrested and charged with the murders. Throughout what proved to be a highly, almost excruciatingly, repetitive barrage of questions, Bachman and Hanke made a virtually exhaustive use of interrogative techniques in attempting to overwhelm, intimidate, belittle, anger, outtalk, fool, anger, and scare Merritt to provoke from him a confession that he had murdered the McStay family. Utilizing facts and misstatements of fact, valid documentation, doctored documentation and fabricated documentation, innuendo, some accurate representations, misrepresentations, accurate information Merritt already possessed, accurate information Merritt did not possess, interpretations of data they showed that were both fair and alternately misleading, truth, half-truths, one third-truths, one-quarter truths and outright lies as well showing impatience, they banged on Merritt for seven hours, coming at him separately and in tandem. The detectives appealed to him to provide them with information needed to exonerate him and then launched accusations, both veiled and direct, shortly thereafter. When he provided them with assertions that did not meet their expectations, they contradicted his statements, either implying or stating he was lying. At no point did they succeed in breaking him, get anything approaching a confession from him or even

a concession from him that he had been at either of two crucial locations within the timeframe that would later be central to the prosecution's narrative of his guilt, the McStay family home on the day of February 4, 2010 or the site of the graves in the High Desert between Victorville and Oro Grande on February 6, 2010.

Judge Michael Smith told the jury before the video was played that law enforcement officers in their interrogations or questioning of suspects are at liberty to make misrepresentations in their statements and the framing of their questions. Judge Smith instructed the jurors that they should not consider any of the detectives' statements or questions to be facts or evidence, and were to consider Merritt's responses and reactions alone to be evidence, and accord that evidence whatever weight they deemed appropriate.

In the interrogation excerpts played on Monday, Bachman is heard pushing Merritt to acknowledge that he drove down to the McStay home in Fallbrook on February 4.

Detective Edward Bachman: Okay. At any point during the day on February 4th or any time - well, during the day at all on February 4th or evening or anything, do you go down to Joe and them's house?

Charles Merritt: No. *Bachman thereafter pressed Merritt on that point, saying it was the case that after the family's disappearance Merritt went to the McStay family's house. Merritt resisted the suggestion that he had gone to Fallbrook on February 4, saying he at last went to the McStay family's home on what previous testimony has established was Saturday, February 13, 2010.*

Merritt: I couldn't get a hold of him. I think it was on a Saturday. I'm also positive. But, again, it's been - it's a little vague. But if it was that day, then I went... sometime in the middle of the

day - I don't remember exactly when I drove out. And I stopped at Joseph's mom's house said, 'Have you heard, heard from Joseph? Haven't seen him or haven't been able to get a hold of him, and we've got some projects that we're in the middle of. And I need to talk to him about this and that,' you know. And she said that she hadn't heard from him in a couple of weeks.

Bachman: Okay.

Merritt: And I said, 'Well, I need to get a hold of him. So, I'm heading out there. I'll have him call you.'

Bachman: Okay.

Merritt: And she called his brother. He said, 'I haven't talked to him in over a week.' And so I said, 'Well, I'm heading out there. I'll have him give you a call or I'll give you a call back.'

Bachman: Okay.

Merritt: Went out there. They weren't there. But the dogs were in the backyard. So I fed the dogs. There was no water out for the dogs. So I put a pot underneath the faucet.

Bachman: Okay.

Merritt: And turned the faucet on just a little bit to have it continually drip. I filled it and then just let it drip in. And then I came back and called his mom and said, you know, the dogs were out with no food and no water. You know, that's not Summer, because the big dog was Summer's baby.

Bachman: Okay. So describe when you show up at Joe's house, describe for me what you see.

Merritt: Front door was locked. Dog, when I pulled up, the dogs were barking...

Bachman: Uh-huh.

Merritt: ...or the dog. The puppy wasn't barking. The dog was barking. And the door was locked. So I went around to the backyard to look in the window. And the dogs were back there. Looked in the window. Couldn't see Joseph, or anything. So I just, I fed the dogs. I ripped open the dog food bag, and because it was raining...

*Continued on Page 6*

## Vagnozzi Survived Nearly Four Years In Upland's Political Maelstrom *from front page*

out of seeking reelection. Timm and Filippi intrepidly pushed on, hoping the power of incumbency might somehow offset and overcome the cloud of resentment that was threatening their reelection viability. Elliott, whose at-large election in 2016 entitled her to stay in the council position she held until 2020, nevertheless astutely recognized that given her residency in the city's newly drawn Second District she would need to vie in 2018 or surrender until 2022 her ability to run for city council again, declared her council candidacy. To head her off, the city's then-existing political establishment – Stone, Timm, Robinson and Filippi – backed Elliott's rival in the race, Planning Commissioner Yvette Walker.

The battle for the heart and soul of Upland – at least for the next two years – was on. When Manis refused to accede to further pressure being put on him to use the machinery of city government to keep the political establishment as it was then composed in place by subtly adjusting things to support the candidacies of Timm, Filippi and Walker, he fell from favor. In September, with the election season intensifying, Manis's departure from Upland was arranged, with the city "officially" allowing him to retain the position of city manager until November 1, 2018, at which point his number of years as a public employee would move from 32 to 33, raising the annual pension he would thereafter be eligible to receive from \$190,800 [80 percent times Manis's then-current \$238,500 annual salary based upon the pension formula used by the California Public Employees Retirement System that entitled him to draw 2.5 percent of his top salary for every year he is employed by a public agen-

cy] to a \$196,763 annual pension [based upon the same \$238,5000 annual salary multiplied by 82.5 percent]. This purchased Manis's silence about what was going on within the backrooms at City Hall.

On Monday September 24, 2018, Manis reported to work as normal. That evening, he was on hand for the regularly scheduled council meeting. On the agenda for that meeting was a single item scheduled for discussion during the closed hearing of the council that was to take place at 6 p.m. outside the earshot and sight of the public, an hour before the standard business portion of the meeting open to the public was to commence at 7 pm. That item, according to the agenda, was to consist of "Consideration of public employee appointment pursuant to California Government Code Section 54957. Title: Acting City Manager." The language of the agenda, by implication, indicated that the position held by Manis was no longer, or would no longer be, occupied, necessitating the city's hiring of a replacement. At 7 pm, after the public portion of the meeting was underway, Mayor Stone designated Deputy City Attorney Steven Flower to disclose the reportable action that took place in closed session. Flower said, "The council considered [a] public employee appointment. The council on [a] motion by Councilman [Sid] Robinson and seconded by Councilwoman Timm voted unanimously to confirm Jeannette Vagnozzi as the acting city manager as of November 2 of this year. And they also agreed to schedule a future closed session to discuss the process of appointing a permanent replacement for city manager. I believe the city manager would like to add something here at this point." Thereupon, Manis said, "After long thought and talking with my family, last Tuesday I sent the mayor and city council a memorandum an-

nouncing I would be retiring, effective my last day of regular business hours... November 1. That was my decision to step down, and pursue additional opportunities in my professional life. So, I just wanted to share that with the community and thank the mayor and the council for the opportunity to have served here, and that concludes my comments."

While Manis remained officially on the payroll, he effectively left City Hall that evening, never to return.

Vagnozzi, though at that point yet designated officially as the assistant city manager, was in fact acting in the capacity of Upland's city manager.

Between the end of September and election day on November 6, 2018, City Hall saw its authority bent to efforts toward preserving the electoral viability of Upland's then-existing political establishment. Despite those efforts, all three establishment candidates – Timm, Filippi and Walker – went down to defeat.

Thereafter, at the November 26, 2018 city council meeting, in its last hurrah as an intact entity prior to the December 10 meeting at which Timm, Filippi and Robinson would last assume their places on the dais to convene the meeting at which the victors in the November 6 contest – Rudy Zuniga, Ricky Felix and Janice Elliott – were to be sworn in, the council took up a proposal to elevate Vagnozzi to the position of city manager for a period of slightly more than three years. The contract under consideration was one that under no circumstances could be terminated any earlier than March 2019 and conferred upon her a conditional severance guarantee of roughly \$155,500 if any future council elected to terminate her before the contract expires as of January 1, 2022.

Before the council voted on the matter, 21 members of the public, 18 of them Upland residents in addition to

three current or former La Verne public officials, weighed in on the wisdom of the outgoing council imposing Vagnozzi as the city's top staff member on the yet-to-be-installed council. While seven of those speaking, including all three from La Verne, hailed Vagnozzi as a skilled civic administrator who was more than capable of taking on the assignment, 14 others expressed opposition to the move, suggesting that the lame duck city council was improperly seeking to impose Vagnozzi upon the successor council. Some said the city should carry out a recruitment effort and a competition among those willing to apply for the position, including Vagnozzi, to find the best candidate possible. Several decried what they said was an illegitimate and vindictive application of the outgoing council's authority that was intended to punish and hamstring their successors. Others reminded the council that they and Thouvenell had evaluated the multitude of applications for the city manager position that had come in during 2016 and 2017, which included Vagnozzi's, and had come to the conclusion a year before that Vagnozzi had not been deemed qualified enough to preclude the council from instead hiring Manis. Some accurately predicted what has now come to pass, Vagnozzi's firing, suggesting that saddling the incoming city council with Vagnozzi was an irresponsible move that might very well entail a squandering of taxpayer dollars to either buy Vagnozzi out of her contract or pay her the severance the contract specified if and when the new council decided her services were no longer needed or appropriate.

Then-Councilman-elect Felix asked the council to defer a decision on Vagnozzi's hiring to those who would need to work with her over the next several years. "I have nothing against her," Felix said. "She has

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always been very kind with me, very respectful toward me, but I do feel it would be a disservice to Upland if we didn't postpone this vote until after December 10, where we could actually do more, the new council can do research to make sure she is the best person for the job. As of right now, she's shown she is qualified, obviously. We've seen her qualifications. She's done a great job, but I feel we need to do our due diligence to make sure we have the best person on here."

Bob Russi, LaVerne's city manager, said he had worked with Vagnozzi for the nearly five years between the time he started with the city in 2010 and her departure to Upland in 2015. "She served La Verne very well during that time and having her make the decision to come here to Upland was a very emotional and difficult decision, but I think she came here for all the right reasons, for her and for this community," he said. "I think she came here to do what's right and serve this community well, and give it the leadership in whatever capacity to help move Upland forward. Putting her into a full-time position is the right decision for this community. I will happily take her back if she is no longer wanted by the City of Upland. La Verne would love to have her come back and work for us."

Then-Councilwoman Carol Timm, who was not at the meeting, sent from North Carolina, where she was celebrating the Thanksgiving holiday with her parents, a letter to the city in which she said she endorsed Vagnozzi's hiring. It was read into the record.

In an effort at forging a compromise, Elliott sought to amend the contract so that the restriction on firing Vagnozzi during the first 90

days after the new council was sworn in would be removed and that the element of the contract which confers upon her six months' salary and benefits as a severance in the event she were terminated be changed so that if she were to be terminated during the first four months of her tenure under the contract, she would only be due a severance equal to one month's pay for each month she had served in the city manager's role. "My concern is not about the timing and also the selection process," Elliott said. She said the city could keep Vagnozzi on as the acting city manager and that the selection should "take time. Haste makes waste." She decried the hiring proposal as a "disservice" and "disturbing," entailing what she said was "a lack of respect shown by this council to ramrod our last meetings with these appointments. They are unprecedented. Some cities have lame duck ordinances that wisely prevent irresponsible actions like these. The request to appoint the new city manager is irresponsible, since three of you will not have any accountability after tonight's action. This action is irresponsible because it ties the hands of the new city council for more than 90 days to make the most important decision that city councils have to make to affect the daily operations of our city. This action is fiscally irresponsible because it will cost us at least \$150,000 extra to terminate this contract once ratified if the new city council chooses to do so. Waiting until after the new city council is sworn in reduces significantly this risk."

Elliott's requests made no inroads on her colleagues, however.

Robinson said.

*Continued on Page 6*

## Interrogation Excerpts Played For Jury from page 4

Bachman: Okay.

Merritt ...or I think it was raining right then. But if it wasn't raining then, it had been or was going to. But I knew that, I mean, it was going to be wet...

Bachman: Okay.

Merritt: ...or whatever. And so I put the dog food inside the shed because he had it outside in a barrel. And I put the dog food inside in the shed and ripped open the bag, kind of made it so that they could eat. And then I put the pot under the faucet and turned it on and let it, let it drip. And I left. So that's pretty much all I saw. I mean, it was wasn't very much to see other than...

Bachman: How about their vehicles?

Merritt: His green truck was in the driveway.

Bachman: Okay. Where is it positioned in the driveway?

Merritt: I want to say like dead center. But I think it was maybe - I think it was to the left a little bit of center driveway.

*Bachman incessantly returned to the day and night of February 4, insisting Merritt was there then. In doing so, Bachman did not so much ask questions but made assertions that were designed to be extremely awkward for Merritt to deny.*

Bachman: Okay. At some point that night on February 4th, you end up down in Fallbrook.

Merritt: I ended up in Fallbrook?

Bachman: You ended up in Fallbrook.

Merritt: I wasn't in Fallbrook, not on February 4th.

Bachman: You're down there in Fallbrook on February 4th.

Merritt: Okay.

Bachman: Explain it, Chase. Okay? Because there's got to be a reason. Okay? There, there's got, all right, to be a reason. I'm asking you, man. And I'm asking for you to help explain what happened. Okay?

Merritt: I understand. I wasn't in - I have no recollection of ever being in Fallbrook on the 4th.

Bachman: You were down there. Now, whether or not you were down there before the family was murdered or something - I mean, this something - I'm not saying, if you go down there, that you're the one that did it.

Merritt: I...

Bachman: But you were down there at some point. Okay?

Merritt: I understand.

Bachman: I need to know what you were down there for. Did he forget to give you checks? Did he forget to do something? There's a reason you went to Fallbrook. And I - we're spinning our heads trying to figure out why you're down there.

Merritt: I don't remember being - going to Fallbrook. I don't. I don't. As a matter of fact, on February 4th, I don't...

Bachman: I know you were in Fallbrook, Chase.

Merritt: There's no chance that I was in Fall-

brook.

Bachman: I'm telling you. I'm telling you straight up and we're not lying to you. I know you were in Fallbrook on February 4th. Okay? All I want to know is what was the reason for it? I mean, if you went down there and you picked something up quickly, and you came back up, then it needs to be explained. Okay? Because it doesn't look good. I mean, help us. Help us understand what the reason for going down there was. I know you guys talked all the time. I know that you said yourself, you went down there a handful of times. So what would you go down there for?

Merritt: Well, the only thing I ever went to Fallbrook for is to socialize with Joseph or do business with him. I mean, those are the only two things.

Bachman: Okay.

Merritt: On February 4th, I don't think I was down there.

Bachman: February 4th I know you were down there.

Merritt: In fact, I'm quite sure I wasn't down there. I think I would have remembered that day going to Fallbrook.

Bachman: I think - and part of it, I think, is that you don't want to be lumped into this. Okay? And you're concerned...

Merritt: I don't want to be lumped into it.

Bachman: But you're already in it. That's what we're doing. You have to explain what you were doing down there because you were down there. All right? There's no contesting that whatsoever. You were down there. Okay? What I need you to do is help me understand what you were down there for. Okay? If you're telling me that you didn't kill them, then why...

Merritt: Of course not.

Bachman: ...why were you down there? Because you went to that house that night.

Merritt: I don't remember going to the house that night. As a matter of fact, I would...

Bachman: Think.

Merritt: ...just about bet

my - in fact, I am betting my - life. I would bet my life that I was not there on the 4th.

Bachman: Think about it, Chase.

Merritt: I did not go to Fallbrook on the...

Bachman: Okay. Think about it. What was the reason for going down there? All right? I don't want to hear that you weren't down there, because I know you were down there. Okay?

Merritt: I had no reason to go to Fallbrook. I had none.

Bachman: Was there a check that you had to pick up? Was there something you had to do?

Merritt: We did that when he was, when he...

Bachman: We know you didn't do that when you were there. I mean, unless he...

Merritt: He got - we did that when he was there. He gave me checks when he was there.

Merritt's reference to "there" is Rancho Cucamonga, where Joseph had driven earlier in the day to meet him and provide him with checks needed for the completion of a project Earth Inspired Products was working on.

Bachman: Okay. You went down there for something else. Did you have to go drop something back off to him? Did you have to, I mean...

Merritt: I have no reason.

Bachman: There's got to be something. Were you not able to get a hold of Joseph and decided to go check on him to make sure he was okay? I mean...

Merritt: No.

Bachman: For some reason you went down there that night. I mean this. We're trying to give you the opportunity to help us understand why you went down there.

Merritt: I understand. I understand you fully think that I was in Fallbrook that night, but I...

Bachman: I know for a fact you were in Fallbrook that night.

Merritt: I don't recall being there.

Bachman: There's a difference between thinking and there's a differ-

ence between knowing. I know you were in Fallbrook that night, Chase.

Merritt: Okay. Well, I - I don't recall being there. I have no clue as to any reason that I would be going there. I just talked to him at lunchtime. There was no reason for me to go to Fallbrook.

Bachman: Okay. February 5th, you said you don't really remember. You think it was just a normal mundane day. You went about your work and all this and that. Normal, normal day. Try to get a hold of Joseph. Can't get a hold of him. No big deal, right?

Merritt: Uh-huh.

*Bachman then moved onto another element of the investigation that has turned out to be crucial to the case, that pertaining to the burial of the McStay family bodies in the desert, and establishing that Merritt was the one who had buried them.*

Bachman: Okay. February 6th, jump forward two days now. Where did you go February 6th?

Merritt: I don't remember.

Bachman: Why would people put you up in the High Desert on February 6th?

Merritt: No idea. The only reason I'd ever go to the High Desert is for my brother or my sister.

Bachman: Where would you have gone that day? February 6th, that's a pretty good - I mean, this this is two days after your friend is missing.

Merritt: Well, where would I go if I went to the desert?

Bachman: Right.

Merritt: I would either go to my older brother's or my older sister's.

Bachman: Where is that?

Merritt: One's in Hesperia. One's in Oro Grande.

Bachman: Okay. Where at - where at in Hesperia?

Merritt: On - just off of Hesperia Road and Third.

Bachman: Okay. And then where is the other one in Oro Grande?

Merritt: Off of the old Highway 66.

Bachman: Okay. February 6th, go back to what

did I just tell you we got of yours? What was I just asking about?

Merritt: Phone records.

Bachman: Okay. Where do your phone records show you're at on February 6th?

Merritt: I have no clue.

Bachman: High Desert.

Merritt: Okay.

Bachman: Where at in the High Desert, do you think?

Merritt: Either Hesperia and Third or in Oro Grande. Those would be the only two places.

Bachman: No.

Merritt: That would be the only two places.

Bachman: Chase, you know where you're at on February 6th. What do you think would be just a shot in the dark where your phone would show you at?

Merritt: Well, if I went to the desert - and I don't recall going to the desert on February 6th - but if I went there, it would be Oro Grande or Hesperia.

Bachman: It wasn't either one of those places.

Merritt: Okay.

Bachman: If you had to take a shot in the dark, where else would you be, Chase?

Merritt: That would be it. That would be the only two places I...

Bachman: What are the key - where is a key area in the High Desert that we've discussed?

Merritt: What do you mean?

Bachman: What's a key area that this whole case involves in the High Desert?

Merritt: Where Joseph was buried, you mean?

Bachman: Where is that at?

Merritt: Off of Dale Evans Road.

Bachman: It's actually Stoddard Wells.

Merritt: Okay.

Bachman: Okay. Why would your phone show you at the grave site on February 6th?

Merritt: Not possible. I wasn't there.

Bachman: Why would your phone records show you were there?

Merritt: Couldn't have.

Bachman: Oh, they do.

Merritt: They couldn't have.

Bachman: Your phone

*Continued on Page 8*

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## In November, Lame Duck Council Sought To Saddle Successors With Vagnozzi For Three Years from page 5

“While some of you might not agree, this proposal makes a lot of sense to me. It’s about trying to bring stability to our city. It obviously hasn’t been the case in a number of years. The last search for a city manager started in mid-2016 and took eighteen months before Upland found someone who was qualified and checked all the boxes. When Upland finally did pick a city manager, Jeannette was also a finalist for the position. She’s been vetted and is one of the top finalists after a very long and tiresome and thorough process. We’ve been through this process already and it was very recent.” Robinson then suggested that the incoming council would not be up to the task of properly selecting a new city manager, and that it was therefore incumbent upon him and his colleagues before they left office to do so for them. “Let me assure you, it’s an awful lot to ask a new council with at least two and maybe three new members who have never served in any municipal capacity to take this on, especially when the work has already been done,” Robinson said. “It’s a matter of providing them with the type of stability in office I believe they will

need. She brings decades of experience as a city administrator along with a wealth of knowledge about how to run a city.” Robinson said there would be “difficulty in finding a new city manager. We went 18 months. You need somebody who wants to be here. Outside of our world here in Upland, qualified city managers don’t really want to come here as we saw in that last search process. If they do, they are going to ask for a lot more money than is being proposed here. Upland does not exactly have a stellar track record when it comes to city managers. We’ve seen seven over the past ten years. Do you really think we’re going to find someone who is both qualified and affordable? I believe this action is a gift to the next council. And you may not think that way, but I think it is in the best interest of Upland. It may seem counter-intuitive to you but it makes perfect sense both in practical terms and financially. She’s proven her worth and value and I don’t think Upland can afford to lose her.”

Mayor Stone, like Robinson, made a veiled reference to Thouvenell’s recommendation against hiring Vagnozzi, which she indicated the council had blindly followed. “I’ll be the first one to admit we missed the boat the first time around,” Stone said. “Jeannette has done so much for this city. We are overlooking the fact that we have experience, we have knowledge, we have a person who cares about the City of Upland, we

have the qualifications, we have compassion and we have a person who is dedicated to this city.” And, like Robinson, Stone suggested the incoming council would not have the skill and sophistication to make the right hiring decision, so it was up to the current council to do so. “This has nothing to do with disrespect to the new council, but they need her leadership,” Stone said. “There is hardly anyone left here to lead here and that’s what they need.” Filippi, after acknowledging “Some of the choices with city managers have been wrong,” said, “Upland needs a responsible and experienced person in that seat. In my view, Jeannette will continue to serve with dedication. She is very proficient. There is far more going on in this city than most people might be aware, and she knows what to do here. The new council will understand that, but it will take time, and if they’re not satisfied with that, they can cut her loose.”

After Elliott’s motion for a compromise by giving the incoming council the option of terminating Vagnozzi prior to March 2019 and reducing her guaranteed severance of \$155,500 during that period died for lack of a second, the contract as proposed was approved 3-to-1, with Elliott dissenting.

As of December 10, 2018 Robinson, Timm and Filippi were gone and the new council, down to four-fifths strength because of Elliott’s departure from

the at-large position she had captured in 2016 to assume the Second District district post she had just been elected to in 2018, consisted of Stone, Elliott, Zuniga and Felix. From that point onward, Vagnozzi was in a severely compromised position, as Elliott and Zuniga, representing two of the three votes necessary to terminate her, were in place on the council. Should she displease just one of the council’s remaining members – one of which was at that point yet to be identified since Elliott’s replacement on the council had yet to be chosen – she would instantaneously be in danger of being fired.

Complicating the circumstance was that within City Hall among a cross section of city employees there was growing consternation and dissatisfaction over what they felt was insufficient pay. While this discontent was not directed at Vagnozzi, per se, as the new city manager she was at once thrown into being the point person with regard to the issue. The mounting negative sentiment among the city’s rank and file virtually overnight was vectored at her. More to the point, Vagnozzi’s tenuous relationship with the council gave the union’s negotiators leverage they otherwise would not have had, and that leverage involved making a full frontal attack on the city manager.

For several years, Upland city management has been engaged in collective bargaining sessions with the city’s employee unions, all of which were given extremely generous contracts in 2008, based largely upon deals the union’s representatives were able to cut by promising to ensure their members’ silence about the depredations then-Mayor John Pomierski was engaged in, which included graft involving payoffs and kickbacks paid to him for providing business interests doing business with the city with preferential treatment. Pomierski’s ac-

tivity subjected the city to a round of unwanted negative publicity, which included an FBI and IRS raid on City Hall in June 2010, Pomierski’s federal indictment in 2011 and his conviction in 2012, as well as the filing of three felony counts consisting of misappropriation of public funds, perjury and personally benefiting from a public contract against Pomierski’s hand-picked city manager, Robb Quincey. In the more than five years from 2005 until 2011 that Quincey served as city manager in Upland, he was given eight salary enhancements, which zoomed his total annual compensation package from \$269,000 per year to \$429,000 annually. Several of those enhancements played out against the backdrop of his being made eligible to receive whatever increases the city’s police officers received as a result of the collective bargaining process. The Pomierski-led council then designated Quincey to carry out the city’s collective bargaining with the police union. In the aftermath of the Pomierski scandal that rocked Upland, city officials considered it unwise to provide Upland’s municipal employees with any further salary or benefit enhancements. Upland’s city manager, the city manager’s office and the human resources manager have been involved in contract negotiations that have remained stalled for more than four years. As deputy city manager and human resources manager and later assistant city manager and city manager, Vagnozzi was involved at least tangentially and in other respects as a principal in those negotiations. Over the last year, as their members have transitioned from ten years to eleven years without any pay increases, the city’s employees unions have stepped up their efforts to pressure the city into providing substantial raises, seeking ten percent enhancements. Given the city’s current financial circumstance which renders raises of

that magnitude out of the question, negotiations have approached an impasse.

In January, sensing the discontent on the council and in the community toward Vagnozzi and smelling blood in the water, both the Upland City Employees Association and the Upland Police Officers Association cast overwhelming votes of no confidence in her. By joining forces with Elliott, Zuniga and the increasingly vocal group of residents gunning for Vagnozzi’s removal, the union’s strategists hoped to convince as little as one more member of the city council to come across and fire Vagnozzi. Thereafter, in dealing with Vagnozzi’s successor, the unions would be in a position to point out that no Upland city manager could hope to keep his or her position if he or she did not placate the unions.

By March of this year, the *Sentinel* has learned, Vagnozzi, the most powerful personage at City Hall, the top staff member to whom all city employees were, or theoretically were, answerable, was purposefully avoiding many of those employees, winding her way, in some cases, in an indirect route as she walked through City Hall so she would not have to come face to face with or have eye contact or any other interaction with certain employees.

Still, Vagnozzi’s tenure as city manager continued, her continuing

*Continued on Page 22*



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**Detectives Hammered On Merritt**  
*from page 6*

records show you there. That's why I'm asking.

Merritt: I wasn't there. Only time I ever went to that place was several weeks later when - or a few weeks later where I went out - first by myself and then went out with my girlfriend's daughter.

Bachman: A few weeks after they went missing?

Merritt: No. No. After they were - after the grave sites were found.

Bachman: Okay. I don't understand why they would show that. Why would they show you up in that area?

Merritt: I don't see how they could, because the only two places I would have been out in the desert, in the entire desert, is at my sister's.

Bachman: It shows you out there, Chase. That's why I'm asking. I'm trying to help. Help us figure this all out.

Merritt: It's impossible.

Bachman: Well, per the phone records and they are engineers that do all this whiz-bang stuff, that are way more educated than you and I are.

Merritt: If that's the case, then, okay. You will find that it's impossible that I was there, because there's no way I was there.

Bachman: We have one of those whiz-bang engineers that's telling us that you're out there at the graves on February 6th.

Merritt: Then he needs to look again because I wasn't there. If I went to the desert I don't remember going to the desert that week. I don't remember going to the desert at all. But if I went there, it would be in Oro Grande with my sister, because her and I - I was semi taking care of her off and on, or at my older brother's in Hesperia off Third.

Bachman: It doesn't show either one of those houses.

Merritt: That would be the only two places I would go up there.

Bachman: So I'm trying to figure out now on February 4th why you would be down in Fallbrook. And that's what I'm saying. Maybe it's just a

shot in the dark that you went down there to grab something, or whatever. Now, on February 6th this guy is telling me that your phone shows that you're up there in that area. Now, these are either some pretty good coincidences, or you just have terrible luck, one of the two.

Merritt: Well, I don't - I don't think that I was in Fallbrook. And I know that I wasn't at the grave site.

Bachman: Okay.

Merritt: There's no way.

Bachman: Okay. Why do you think...

Merritt: I wasn't in Fallbrook.

Bachman: Because I know for a fact you were in Fallbrook.

Merritt: Why do I think I was in Fallbrook...

Bachman: Yeah.

Merritt: ...or wasn't in Fallbrook?

Bachman: Start with that.

Merritt: Because I would remember going to Fallbrook on the 4th after Joseph left me. I would have remembered that. Did I remember? Was the rest of the day vague because it was just kind of a day? Yeah. But I would have remembered getting in my car, driving all the way to Fallbrook - excuse me - Fallbrook and back. That's a long drive.

Bachman: You're in Fallbrook. There's no discrediting that. All right?

Merritt: Well, I was also at the grave site, but - and you said there's no discrediting that.

Bachman: That's completely - completely - different.

Merritt: But that's - it's one and the same. I wasn't at either one. So, you know, you're saying -

Bachman: Fallbrook - Fallbrook, I know you were there. And that's completely phone records aside. Okay? That's why I'm trying to help - ask you to help me explain this.

Merritt: No idea.

Bachman: February 4th, you're down in Fallbrook, Chase.

Merritt: I...

Bachman: You're - you're presumably the last person that sees them at their residence.

Merritt: At their residence?

Bachman: Yeah.

Merritt: I don't - I wasn't in Fallbrook, not on February 4th.

Bachman: You were in Fallbrook on February 4th.

Merritt: Well, I don't remember being in Fallbrook on February 4.

Bachman: You may have chose to block that out.

Merritt: Later on, later on, days later, yeah, I went there. But...

Bachman: I think that you may have chose to block portions of it out. I... And I don't know if it's because it's... it's terrible memories, or what it is, but...

Merritt: I don't block things out. I don't have the best of memories, but I would remember going to Fallbrook.

Bachman: I mean, I know that you're down there on the 4th. There's no doubt that you're down there on the 4th. So now either, like I said, you had something to do with it or you were there just prior to. And maybe people waited for you to leave and then they went in and did this. But you're there on the 4th. Why were you there on the 4th, Chase?

Merritt: I don't remember being there on the 4th. I don't think I was there on the 4th. I am 98 percent positive that if I drove all the way down to Fallbrook on the 4th, I would remember.

Bachman: I know you drove down to Fallbrook on the 4th.

Merritt: Well, I sure as hell don't remember being in Fallbrook on the 4th. I remember being there...

Bachman: There's...

Merritt: ...days before and days after, but not on...

Bachman: There's plenty of different things that catch people that travel all over the road. License plate readers, there's different stuff. You pass through all kinds of different stuff on the way down there. And like I say, there is no shortage of stuff that we've done on this case. We've looked into every outlet possible.

Merritt: I understand.

Bachman: I'm telling

you, you were in Fallbrook on February 4th, 2010.

Merritt: Okay.

Bachman: I'm asking you why.

Merritt: I don't remember being there, so I - I don't recall driving there. I don't think I was there.

Bachman: Do you have memory problems?

Merritt: No, none.

Bachman: And then you - There's other stuff that we've talked about and you remember -

Merritt: That's five-and-a-half - we're talking five-and-a-half years ago.

Bachman: We've sat here and talked to you the entire time. And there's plenty of stuff that you can remember way past then that you could remember with - I mean, you could remember minimal details.

Merritt: Some things you remember. Some things you don't. You know, I...

Bachman: But he was your best friend.

Merritt: I remember most of the...

Bachman: Your best friend...

Merritt: ...day on February 4th.

Bachman: ...goes missing and is murdered on February 4th, 2010. And you're telling me you cannot remember that night?

Merritt: No. I said, to the best of my recollection. I know that I would have known that I was in Fallbrook.

Bachman: You were in Fallbrook.

Merritt: I...

Bachman: Why? Why?

Merritt: ...don't remember being in Fallbrook. I did not - I'm pretty - matter of fact, I am positive...

Bachman: I'm positive that you were in Fallbrook.

Merritt: ...I did not drive to Fallbrook.

Bachman: Okay. Who drove you to Fallbrook then? Because you've already said yourself you don't drive all the time. So somebody took you down to Fallbrook.

Merritt: Nobody drove me to Fallbrook. Back then I was driving most of the time.

Bachman: Okay. You were in Fallbrook on February 4th.

Merritt: Okay.

Bachman: I'm asking you why, Chase. This is one of the most important days of your life right now. We're trying to help figure this all out. That's why I - we've - asked you to come here. We've asked you to help us figure this all out, because you are a key piece of this puzzle that helps put this all together.

Merritt: I understand. And that's why I'm here and cooperating and...

Bachman: So why were you down in Fallbrook on February 4th?

Merritt: I don't think I was there on February 4th.

Bachman: I know you were there.

Merritt: As a matter of fact...

Bachman: The surveillance video, this entire time, the surveillance video that they - [San Diego County Sheriff's Department Homicide Detective Troy] Dugal seems to - everyone seems to - think is a Trooper, that's not the [Isuzu] Trooper. That's your vehicle leaving the McStays' house.

Merritt: Okay.

Bachman: That is your vehicle, no ifs, ands or buts.

Merritt: All right.

Bachman: Okay. Why is your vehicle leaving the McStays' house on February 4th, 2010?

Merritt: I don't think it was.

Bachman: It was. Oh, it was. There's no doubt about that whatsoever.

Merritt: Okay. I don't know what to say. I... Well, I don't remember driving down there on the 4th.

Bachman: That's your car.

Merritt: I would not, I have, no reason to be there, on the 4th. I have no reason whatsoever.

Bachman: Why? I mean, why? See, now is the time, Chase. Help us understand.

Merritt: I don't know why. I have no clue.

Bachman: Your your truck is on video. It's on video leaving the McStays' house. This key video that everyone says is the Trooper. That's not the Trooper. I - we've - studied your your stuff in and out. Okay? In and out. That is your vehicle

leaving that house that night.

Merritt: I don't know what to say. I - I can't. I don't see how it could be, not on February 4th.

Bachman: The video there shows your vehicle backed in the driveway, shows your vehicle leaving there. I mean, dude, like I said, we have done everything with this case, enhanced videos, done all kinds of stuff, recontacted neighbors, pulled all kinds of surveillance, pulled plates, pulled everything out. We have pulled, there is no stops that have not been pulled for this. Okay? Your vehicle is leaving that house that night. I need you to tell me why.

Merritt: I don't. If I remembered being there, I would say this is the reason. But I don't.

Bachman: You were there. And your wife or your girlfriend Cathy is trying to get a hold of you the entire time while you're there, trying to get a hold of you the complete, entire time.

Merritt: I don't recall being there. So I don't know.

Bachman: So, I know you're not at home because she's at home. Her phone records show her at home. Your phone records don't show you at home.

Merritt: So where do my phone records show me?

Bachman: Fallbrook.

Merritt: No.

Bachman: Your vehicle is on video surveillance leaving the residence. So why? What was your purpose for going down there? I mean...

Merritt: I had no purpose to go down there. I had none. I had no reason to be there. I had no reason to. I had no reason.

Bachman: Something prompted you. You get a phone call at 5:48. And then you leave your house. And for that time period, Cathy is trying to get a hold of you non-stop. She's trying to get a hold of you nonstop.

Merritt: At 5:48?

Bachman: Yeah.

Merritt: Almost six o'clock?

Bachman: She's trying to get a hold of you non-stop.

*Continued on Page 18*

## Bechtel Era - And Its Accompanying Ethos - Underway At Damien

from front page

rather a requisite. No matter how impressive a player's performance on the field in the past or on the practice field since, if that student does not have a C average and no failing grades in any and all classes, he is sent to study hall and unable to practice. The *Sentinel* asked Bechtel what this policy might mean if the Spartans cannot make full use of the complement of players available to them when the season begins in August. "We're willing to play with the guys we currently have who are doing things the right way," he said. "Sitting at a desk on the track is not for show and we're willing to play the younger and less experienced guys who are taking care of business in the classroom."

Bechtel said it is imperative that the students recognize the premium put on academics at Damien. The players know what the rules are, he said, and if they truly want to play, they will meet what is expected of them. "Every coach has his own philosophy," Bechtel said. "I truly feel that leadership starts from the top. What the coaches are saying is expected to be adhered to, and thus everything we're preaching will lead

to our guys experiencing success. My approach is teaching the guys that every time we're together there must be an increase in the level of urgency so that we are getting a little better every day. It's more than just coming to work and punching the clock. We are holding these guys to a level of accountability with regard to being in the right, communicating if they can't make practice, being to class on time, and attention to detail when learning the scheme. It's not good enough to just get it done. It is about incorporating discipline and doing everything the right way. That's what I'm trying to create in the program." Moreover, Bechtel said, playing as a team in football demands academic intensity. The playbook must be studied. Each formation and its variants, in all of their precise forms and either substantial or subtle differences must be known instantaneously by all players on the field and on the sidelines. Linemen must know their blocking assignments in every particular on every specific play and cannot confuse one with another. Running backs and receivers must be counted upon to move to the exact location where their teammates are creating the daylight for those touching the ball so they can make maximum forward progression. A quarterback needs to know what everyone is doing and what his own options are. For

Bechtel it is this simple: If a player is incapable of staying abreast of the material in a chemistry class or unwilling to devote the time needed to read a novel in an English literature class, he most likely will be incapable of giving the intensity of focus needed to master the playbook. With regard to the playbook, Bechtel said it is always going to be difficult for the players to assimilate all of it. "The offense and defense are not necessarily complex, but intricate in detail," he said. "We're not trying to have the guys master everything by the end of spring ball." Rather, they need to get to know and then perfect a repertoire that works, one that can be applied at will in the range of game situations the team is likely to encounter. He said, "It's like the quote by Bruce Lee - 'I fear not the man who has practiced 10,000 kicks once, but I fear the man who has practiced one kick 10,000 times.' - The hard part is the attention to detail and the fact there's multiple things that they have to know within the scheme they're running. An example is the inside receiver will in many circumstances be called upon to make decisions while running his route: Should he go skinny? Stay vertical? Those are things they'll understand based on experience. The other part is we are running as close to a college offense and defense as any high school program would

be able to. This means preparing the guys is key, and the primary goal is to have success with the high school season while preparing the players to have a chance at the next level because of the system we are running. If you look at our playbook, it is similar to what colleges are doing."

Bechtel acknowledged the obvious, that there is an intensely vigor-

ous physical aspect to the Damien football program, consisting of endless repetition of the plays until each is executed like clockwork, intersticed with strength and speed training. "Realistically, including the learning of all the plays, there is also the task of developing strength and explosive power in the weight room as well as the speed and agility component," he said. "We have a full program for that."

Spring practice is intense and overwhelming, Bechtel said, and is intended to be that way. "The first thing is pushing the guys, giving them more than we know they can handle," he said. "Once spring football is over, the staff will trim the fat and go through an elimination process which will include re-viewing personnel, our depth chart, and overall ical and mental strength they truly possess." Bechtel said that based on what he sees so far, "If we had to play today, there would be a lot of guys that would have to go both ways, offense and defense. But the goal through the summer is to try to reduce that number." Ultimately, Bechtel said he recognizes that the full playbook he has is



ous physical aspect to the Damien football program, consisting of endless repetition of the plays until each is executed like clockwork, intersticed with strength and speed training. "Realistically, including the learning of all the plays, there is also the task of developing strength and explosive power in the weight room as well as the speed and agility component," he said. "We have a full program for that."

When the summer program comes, we will re-adjust the priority back to the strength and speed program while re-installing the schemes we covered in the spring. Every kid on the team is learning an offensive and defensive position. Eventually some guys will go back to one side of the ball. These young men will be pushed and challenged at every point in our program and this will allow our players to discover how much phys-

one thing and that the percentage of that playbook - hopefully a large percentage rather than a small percentage - that the entire team will master as its repertoire is another thing. "We will have our guys prepared for the 23rd of August," he said. "We don't ever take everything into a game. Everything we do is based on what we feel we need to do in order to be able to at-

*Continued on Page 18*



Public Notices

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20190005040

The following person(s) is(are) doing business as: Pacific Shift, 7149 Powell Pl., Rancho Cucamonga, CA 91739, Marisa Leiva, 7149 Powell Pl., Rancho Cucamonga, CA 91739, Carlos Soriano, 7149 Powell Pl., Rancho Cucamonga, CA 91739

Business is Conducted By: A General Partnership

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/Marisa Leiva  
This statement was filed with the County Clerk of San Bernardino on: 4/23/2019

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

Began Transacting Business: N/A

County Clerk, s/DO  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 4/26/19, 5/3/19, 5/10/19, 5/17/19

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20190004476

The following person(s) is(are) doing business as: El Sombrero Banquet Hall, 354 S 7th St, Colton, CA 92324, Lermas Enterprises, LLC, 12036 Loyola Ct, Fontana, CA 92337

Business is Conducted By: A Limited Liability Company

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/Marcela G. Lerma  
This statement was filed with the County Clerk of San Bernardino on: 4/10/2019

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

Began Transacting Business: 1/01/2017

County Clerk, s/RS  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 4/26/19, 5/3/19, 5/10/19, 5/17/19

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20190004621

The following person(s) is(are) doing business as: American Focus Team, 516 N. Imperial Ave #D, Ontario, CA 91764, Jihyang Fang, 516 N. Imperial Ave #D, Ontario, CA 91764

Business is Conducted By: An Individual

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.



Public Notices

s/Jihyang Fang  
This statement was filed with the County Clerk of San Bernardino on: 4/12/2019

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

Began Transacting Business: N/A

County Clerk, s/EF  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 4/26/19, 5/3/19, 5/10/19, 5/17/19

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1912024

TO ALL INTERESTED PERSONS: Petitioner: Jesus Natividad Lopez filed with this court for a decree changing names as follows: Denis Yanez to Denise Yanez

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 05/31/2019 Time: 8:30 a.m. Department: S16

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in the San Bernardino County Sentinel in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: April 19, 2019  
Michael A. Sachs  
Judge of the Superior Court.

Published in San Bernardino County Sentinel on 4/26/19, 5/3/19, 5/10/19, 5/17/19

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1911661

TO ALL INTERESTED PERSONS: Petitioner: Lorraine R. Reyes filed with this court for a decree changing names as follows: Lorraine Rita Reyes to Lorraine Vitali

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 05/30/2019 Time: 8:30 a.m. Department: S16

The address of the court is Superior Court of California, County of San Bernardino,

Public Notices

San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in the SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: April 17, 2019  
Michael A. Sachs  
Judge of the Superior Court.

Published in San Bernardino County Sentinel on 4/26/19, 5/3/19, 5/10/19, 5/17/19

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1912030

TO ALL INTERESTED PERSONS: Petitioner: JULIE LYNN FRASURE has filed with this court for a decree changing names as follows: JULIE LYNN FRASURE to ZOE BONES

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: MAY 31, 2019 Time: 8:30 a.m. Department: S16

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in THE SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: April 19, 2019  
Michael A. Sachs  
Judge of the Superior Court.

Published in SAN BERNARDINO COUNTY SENTINEL on 4/26/19, 5/3/19, 5/10/19 & 5/17/19.

NOTICE OF PETITION TO ADMINISTER ESTATE OF ALLEAN FRANCES BLOUNT, AKA: ALLEAN F. BLOUNT, CASE NO. PROPS1900399 To all heirs, beneficiaries, creditors, and contingent creditors of ALLEAN FRANCES BLOUNT, AKA: ALLEAN F. BLOUNT and persons who may be otherwise interested in the will or estate, or both: A petition has been filed by MATTHEW RAY BLOUNT in the Superior Court of California, County of SAN BERNARDINO, requesting that MATTHEW RAY BLOUNT be appointed as personal representative to administer the estate of ALLEAN FRANCES BLOUNT, Decedent died intestate. (The petition requests authority to administer the estate under the Independent Administration of Estates Act. This will avoid the need to obtain court approval for many actions taken in connection with the estate. However, before taking certain actions, the personal

Public Notices

representative will be required to give notice to interested persons unless they have waived notice or have consented to the proposed action. The petition will be granted unless good cause is shown why it should not be.) The petition is set for hearing in Dept. No. S37 at SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT - PROBATE DIVISION 247 W. 3rd STREET SAN BERNARDINO, CA 92415-0212 on June 3, 2019 at 08:30 AM

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in subdivision (b) of Section 58 of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery of the notice to you under Section 9052 of the California Probate Code.

YOU MAY EXAMINE the file kept by the court. If you are interested in the estate, you may request special notice of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Section 1250 of the California Probate Code.

Petitioner: MATTHEW RAY BLOUNT 2161 BLAKE ST. UNIT # 1 SAN BERNARDINO, CA. 92407 Telephone: 909-547-9648  
Published in the San Bernardino County Sentinel 5/3, 5/10 & 5/17, 2019.

FBN 20190003676  
The following person is doing business as: JEIMY RAMIREZ INSURANCE SERVICES 16555 BUTANO PL FONTANA, CA 92336 THE INSURANCE GODDESS INC 16555 BUTANO PL FONTANA, CA 92336

Business is Conducted By: A CORPORATION  
Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Jeimy P Ramirez Figueroa  
This statement was filed with the County Clerk of San Bernardino on: 3/26/2019

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

Began Transacting Business: N/A

County Clerk, s/SH  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 3/29, 4/5, 4/12 & 4/19, 2019 Corrected 5/3, 5/10, 5/17 & 5/24, 2019.

Published in the San Bernardino County Sentinel 3/29, 4/5, 4/12 & 4/19, 2019 Corrected 5/3, 5/10, 5/17 & 5/24, 2019.

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

Began Transacting Business: 2/28/2014

County Clerk, s/GM  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 5/3/19, 5/10/19, 5/17/19, 5/24/19

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1912671  
TO ALL INTERESTED PERSONS: Petitioner: Hiwote Worku filed with this court for a decree

Public Notices

IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/NITIN PAUL CHOPRA  
This statement was filed with the County Clerk of San Bernardino on: 3/22/2019

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

Began Transacting Business: 01/20/2017

County Clerk, s/SH  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 3/29, 4/5, 4/12 & 4/19, 2019 Corrected 5/3, 5/10, 5/17 & 5/24, 2019.

Published in the San Bernardino County Sentinel 3/29, 4/5, 4/12 & 4/19, 2019 Corrected 5/3, 5/10, 5/17 & 5/24, 2019.

FBN 20190003527

The following entity is doing business as: YOGURTLAND Franchise No. CA292 13325 MAIN ST SUITE 107 HESPERIA, CA 92345 CHOPRA INVESTMENT GROUP, LLC 20355 VIA SANSOVINO PORTER RANCH, CA 91326

Mailing Address 20355 VIA SANSOVINO PORTER RANCH, CA 91326

State of Inc/Org./Reg: NEVADA

Business is Conducted By: A LIMITED LIABILITY COMPANY

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/NITIN PAUL CHOPRA  
This statement was filed with the County Clerk of San Bernardino on: 3/22/2019

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

Began Transacting Business: 01/20/2017

County Clerk, s/SH  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 3/29, 4/5, 4/12 & 4/19, 2019 Corrected 5/3, 5/10, 5/17 & 5/24, 2019.

Published in the San Bernardino County Sentinel 3/29, 4/5, 4/12 & 4/19, 2019 Corrected 5/3, 5/10, 5/17 & 5/24, 2019.

FICTITIOUS BUSINESS NAME STATEMENT FILE NO-20190005245

The following person(s) is(are) doing business as: South Pacific Truck and Trailer Repair, 9135 Tangelo Ave, Fontana, CA 92335, Mailing Address: 1313 Kingsmill Ave, Rowland Heights, CA 91748, Epifanio D Rodriguez, 9135 Tangelo Ave, Fontana, CA 92335

Business is Conducted By: An Individual

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Epifanio D Rodriguez  
This statement was filed with the County Clerk of San Bernardino on: 4/26/2019

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

Began Transacting Business: 2/28/2014

County Clerk, s/GM  
NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 5/3/19, 5/10/19, 5/17/19, 5/24/19

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1912671  
TO ALL INTERESTED PERSONS: Petitioner: Hiwote Worku filed with this court for a decree

Public Notices

changing names as follows: Kidus Zewdu Yohannes to Nathaniel Zewdu Yohannes

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing: Date: 06/06/2019 Time: 8:30 a.m. Department: S16

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in the THE SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: June 6, 2019  
Michael A. Sachs  
Judge of the Superior Court.

Published in San Bernardino County Sentinel on 5/3/19, 5/10/19, 5/17/19, 5/24/19

NOTICE OF PETITION TO ADMINISTER ESTATE OF LULLY ESCOBAR

CASE NO. PROPS1900422

To all heirs, beneficiaries, creditors, and contingent creditors and persons who may be otherwise interested in the will or estate, or both of LULLY ESCOBAR:

A petition for probate has been filed by BENJAMIN ESCOBAR in the Superior Court of California, County of SAN BERNARDINO. The petition for probate requests that BENJAMIN ESCOBAR be appointed as personal representative to administer the estate of LULLY ESCOBAR.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or have consented to the proposed action. The petition will be granted unless good cause is shown why it should not be.)

The petition is set for hearing in Dept. No. S35 at SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT - PROBATE DIVISION 247 W. 3rd STREET SAN BERNARDINO, CA 92415-0212 on June 20, 2019 at 08:30 AM

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in subdivision (b) of Section 58 of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery of the notice to you under Section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

Public Notices

the file kept by the court. If you are interested in the estate, you may request special notice of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Section 1250 of the California Probate Code.

Attorney for Petitioner: JENNIFER M. DANIEL 256360

LAW OFFICE OF JENNIFER DANIEL  
220 NORDINA STREET, REDLANDS, CA 92373

Telephone: (909) 792-9244  
Published in the San Bernardino County Sentinel May 10, May 17 & May 24 2019.

NOTICE OF PETITION TO ADMINISTER ESTATE OF MARIO MALACARA, aka MARIO MALCARA VALADEZ, aka MARIO MALACARA V.

CASE NO. PROPS1900419  
To all heirs, beneficiaries, creditors, and contingent creditors and persons who may be otherwise interested in the will or estate, or both of MARIO MALACARA, aka MARIO MALCARA VALADEZ, aka MARIO MALACARA V.R:

A petition for probate has been filed by BRENDA CECILIA CONTRERAS in the Superior Court of California, County of SAN BERNARDINO. The petition for probate requests that BRENDA CECILIA CONTRERAS be appointed as personal representative to administer the estate of MARIO MALACARA, aka MARIO MALCARA VALADEZ, aka MARIO MALACARA V.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or have consented to the proposed action. The petition will be granted unless good cause is shown why it should not be.)

The petition is set for hearing in Dept. No. S37 at SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT - PROBATE DIVISION 247 W. 3rd STREET SAN BERNARDINO, CA 92415-0212 on June 27, 2019 at 08:30 AM

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in subdivision (b) of Section 58 of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery of the notice to you under Section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are interested in the estate, you may request special notice of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Section 1250 of the California Probate Code.

Attorney for Petitioner:

**Public Notices**

NATALIE A. ALVARADO  
SAMUEL CROWE & ASSOCIATES  
1131 W. SIXTH STREET,  
SUITE 101 ONTARIO, CA  
91762

Telephone: (909) 391-9393  
Published in the San Bernardino County Sentinel May 10, May 17 & May 24 2019.

NOTICE OF PETITION TO ADMINISTER ESTATE OF LEROY HISAO ISHIGO  
Case No. PROPS1900415  
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of LEROY HISAO ISHIGO

A PETITION FOR PROBATE has been filed by Clarence Ishigo in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that Clarence Ishigo be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on June 17, 2019 at 8:30 AM in Dept. No. S36 located at 247 W. Third St., San Bernardino, CA 92415.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.  
Attorney for petitioner:  
JAMES A BUSSE JR ESQ  
SBN 225244  
THE LAW OFFICES OF  
JAMES A BUSSE JR INC  
3937 ELM AVE  
LONG BEACH CA 90807  
CN960237 ISHIGO May 10,17,24, 2019

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1913574

TO ALL INTERESTED PERSONS: Petitioner: Karen Thuc Te filed

**Public Notices**

with this court for a decree changing names as follows: Karen Thuc Te to Ngim Thuc Quach

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:  
Date: 06/17/2019  
Time: 8:30 a.m.  
Department: S16

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in the SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: May 6, 2019  
Michael A. Sachs  
Judge of the Superior Court.

Published in The San Bernardino County Sentinel on 5/10/19, 5/17/19, 5/24/19, 5/31/19

ORDER TO SHOW CAUSE FOR CHANGE OF NAME CASE NUMBER CIVDS1913859

TO ALL INTERESTED PERSONS: Petitioner: Jovanna Fernanda Alcaraz-Cardenas filed with this court for a decree changing names as follows: Jovanna Fernanda Alcaraz-Cardenas to Giovanna Fernanda Alcaraz-Cardenas

THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Notice of Hearing:  
Date: 06/17/2019  
Time: 8:30 a.m.  
Department: S17

The address of the court is Superior Court of California, County of San Bernardino, San Bernardino District - Civil Division, 247 W Third Street, Same as above, San Bernardino, CA 92415-0210, San Bernardino

IT IS FURTHER ORDERED that a copy of this order be published in the SAN BERNARDINO COUNTY SENTINEL in San Bernardino County California, once a week for four successive weeks prior to the date set for hearing of the petition.

Dated: May 6, 2019  
Michael A. Sachs  
Judge of the Superior Court.

Published in The San Bernardino County Sentinel on 5/10/19, 5/17/19, 5/24/19, 5/31/19

FICTITIOUS BUSINESS NAME STATEMENT FILE NO. 20190004902

**Public Notices**

The following person(s) is(are) doing business as: Chef D's Catering, 963 N. Lilac Ave, Rialto, CA 92376, Daniel Franco, 963 N. Lilac Ave, Rialto, CA 92376

Business is Conducted By: An Individual

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Daniel Franco  
This statement was filed with the County Clerk of San Bernardino on: 4/19/2019

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

Began Transacting Business: 4/01/19

County Clerk, s/HDC

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). 5/10/19, 5/17/19, 5/24/19, 5/31/19

NOTICE OF PETITION TO ADMINISTER ESTATE OF DORIS J. DONNELLY CASE NO. PROPS1900436 To all heirs, beneficiaries, creditors, and contingent creditors of DORIS J. DONNELLY and persons who may be otherwise interested in the will or estate, or both: A petition has been filed by GREGORY ALAN DONNELLY in the Superior Court of California, County of SAN BERNARDINO, requesting that GREGORY ALAN DONNELLY be appointed as personal representative to administer the estate of DORIS J. DONNELLY. Decedent died intestate. (The petition requests authority to administer the estate under the Independent Administration of Estates Act. This will avoid the need to obtain court approval for many actions taken in connection with the estate. However, before taking certain actions, the personal representative will be required to give notice to interested persons unless they have waived notice or have consented to the proposed action. The petition will be granted unless good cause is shown why it should not be.) The petition is set for hearing in Dept. No. S36 at SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO SAN BERNARDINO DISTRICT - PROBATE DIVISION 247 W. 3rd STREET SAN BERNARDINO, CA 92415-0212 on June 25, 2019 at 08:30 AM

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner: Natalie A. Alvarado

SAMUEL CROWE & ASSOCIATES  
1131 W. Sixth St., 101, Ontario, CA 91762  
Telephone: 909-391-9393  
Published in the San Bernardino County Sentinel on: 5/17/19, 5/24/19, 5/31/19

FBN 20190005662  
The following entity is doing business as: DT INTERNAL

**Public Notices**

Published in the San Bernardino County Sentinel 5/17, 5/24 & 5/31, 2019.

NOTICE OF PETITION TO ADMINISTER ESTATE OF:

Mario Malacara, aka Mario Malacara Valadez, aka Mario Malacara V.

NO. PROPS1900419

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both of Mario Malacara, aka Mario Malacara Valadez, aka Mario Malacara V.

A PETITION FOR PROBATE has been filed by Brenda Cecilia Contreras, in the Superior Court of California, County of SAN BERNARDINO.

THE PETITION FOR PROBATE requests that Brenda Cecilia Contreras be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A hearing on the petition will be held in Dept. No. S37 at 8:30 a.m. on June 27, 2019 at Superior Court of California, County of San Bernardino, 247 West Third Street, San Bernardino, CA 92415, San Bernardino District.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under Section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner: Natalie A. Alvarado

SAMUEL CROWE & ASSOCIATES  
1131 W. Sixth St., 101, Ontario, CA 91762  
Telephone: 909-391-9393  
Published in the San Bernardino County Sentinel on: 5/17/19, 5/24/19, 5/31/19

FBN 20190005012  
The following entity is doing business as: INSITE 1264 S WATERMAN #45 SAN BERNARDINO, CA 92408 WANDALYN L LANE 1264 S WATERMAN #45 SAN BERNARDINO, CA 92408

Business is Conducted By: AN INDIVIDUAL

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Wandalyn L. Lane  
This statement was filed with the County Clerk of San Bernardino on: 4/23/2019

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

Began Transacting Business: N/A  
County Clerk, s/SH

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). Published in the San Bernardino County Sentinel 5/17, 5/24, 5/31 & 6/7, 2019

**Public Notices**

MEDICINE 1680 PLUM LANE REDLANDS, CA 92374 DENISE TOWNSEND 1245 COUNTRY PL REDLANDS, CA 92374

Business is Conducted By: AN INDIVIDUAL

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Denise Townsend  
This statement was filed with the County Clerk of San Bernardino on: 5/07/2019

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

Began Transacting Business: N/A

County Clerk, s/SH

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). Published in the San Bernardino County Sentinel 5/17, 5/24, 5/31 & 6/7, 2019

FBN 20190005012  
The following entity is doing business as: JGP HANDYMAN SERVICES 7470 PALOVERDE FONTANA, CA 92336; MAILING ADDRESS 7470 PALOVERDE FONTANA, CA 92336; JOEL GUTIERREZ PEREZ 7470 ALOVERDE FONTANA, CA 92336

Business is Conducted By: AN INDIVIDUAL

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Wandalyn L. Lane  
This statement was filed with the County Clerk of San Bernardino on: 04/24/2019

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

Began Transacting Business: N/A

County Clerk, s/SH

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). Published in the San Bernardino County Sentinel 5/17, 5/24, 5/31 & 6/7, 2019

FBN 20190004743  
The following entity is doing business as: BOYER DESIGN ENGINEERING 23504 CREST FOREST DRIVE CRESTLINE, CA 92325

Business is Conducted By: AN INDIVIDUAL

Signed: BY SIGNING BELOW, I DECLARE THAT ALL INFORMATION IN THIS STATEMENT IS TRUE AND CORRECT. A registrant who declares as true information, which he or she knows to be false, is guilty of a crime. (B&P Code 17913) I am also aware that all information on this statement becomes Public Record upon filing.

s/ Dan Kinslow  
This statement was filed with the County Clerk of San Bernardino on: 4/17/2019

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

Began Transacting Business: N/A

County Clerk, s/SH

NOTICE- This fictitious business name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious name in violation of the rights of another under federal, state, or common law (see section 14400 et. Seq. Business & Professions Code). Published in the San Bernardino County Sentinel 5/17, 5/24, 5/31 & 6/7, 2019

FBN 20190005105  
The following person is doing business as: RFC HANDYMAN AND MAINTENANCE 506 WEST D STREET PT B ONTARIO, CA 91762; MAILING ADDRESS 7470 PALOVERDE FONTANA, CA 92336; RICARDO R FAJARDO 506 WEST D STREET APT B ONTARIO, CA 91762

Business is Conducted By: AN INDIVIDUAL

The registrant commenced to transact business under the fictitious business name or names listed above on: 4/25/2014  
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ RICARDO FAJARDO  
Statement filed with the County Clerk of San Bernardino on: 04/24/2019

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 04/26/2019, 05/03/2019, 05/10/2019, 05/17/2019 CNBB172019351R

**Public Notices**

County Sentinel 5/17, 5/24, 5/31 & 6/7, 2019

FBN 20190004442

The following person is doing business as: BAUBLES & BEAUTIES 2580 W. REDWOOD CT. SAN BERNARDINO, CA 92407 CARRIE M DACHARUX PAUL 2580 W. REDWOOD CT. SAN BERNARDINO, CA 92407

The business is conducted by: AN INDIVIDUAL  
The registrant commenced to transact business under the fictitious business name or names listed above on: N/A  
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ CARRIE M. DACHARUX PAUL, OWNER  
Statement filed with the County Clerk of San Bernardino on: 04/25/2019

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 04/26/2019, 05/03/2019, 05/10/2019, 05/17/2019 CNBB172019361R

FBN 20190005105  
The following person is doing business as: JGP HANDYMAN SERVICES 7470 PALOVERDE FONTANA, CA 92336; MAILING ADDRESS 7470 PALOVERDE FONTANA, CA 92336; JOEL GUTIERREZ PEREZ 7470 ALOVERDE FONTANA, CA 92336

Business is Conducted By: AN INDIVIDUAL

The registrant commenced to transact business under the fictitious business name or names listed above on: 4/25/2014  
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ JOEL GUTIERREZ PEREZ  
Statement filed with the County Clerk of San Bernardino on: 04/24/2019

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 04/26/2019, 05/03/2019, 05/10/2019, 05/17/2019 CNBB172019351R

FBN 20190005105  
The following person is doing business as: RFC HANDYMAN AND MAINTENANCE 506 WEST D STREET PT B ONTARIO, CA 91762; MAILING ADDRESS 7470 PALOVERDE FONTANA, CA 92336; RICARDO R FAJARDO 506 WEST D STREET APT B ONTARIO, CA 91762

Business is Conducted By: AN INDIVIDUAL

The registrant commenced to transact business under the fictitious business name or names listed above on: 4/25/2014  
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ RICARDO FAJARDO  
Statement filed with the County Clerk of San Bernardino on: 04/24/2019

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 04/26/2019, 05/03/2019, 05/10/2019, 05/17/2019 CNBB172019351R

FBN 20190004449  
The following person is doing business as: LA MADRINA MASTETOS. 10636 CEDAR AVE BLOOMINGTON, CA, 92316; MAILING ADDRESS10471 LOCUST AVE BLOOMINGTON, CA, 92316; MACARIA CAMACHO AHUMADA 10636 CEDAR AVE BLOOMINGTON, CA 92316

Business is conducted by: AN INDIVIDUAL.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A  
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s/ GABRIEL BARRY  
Statement filed with the County Clerk of San Bernardino on: 04/10/2019

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 04/26/2019, 05/03/2019, 05/10/2019, 05/17/2019 CNBB17201931MT

FBN 20190004450  
The following person is doing business as: PRECISE MICROCALPS. 11849 FOOTHILL BLVD SUITE B RANCHO CUCAMONGA, CA, 91730; GOD'S GIRL, INC. 11849 FOOTHILL BLVD SUITE B RANCHO CUCAMONGA, CA 91730

Business is conducted by: A CORPORATION.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A  
By signing, I declare that all information in this statement is true and correct. A registrant who declares as true information which he or she knows to be false is guilty of a crime (B&P Code 17913). I am also aware that all information on this statement becomes Public Record upon filing.

s/ GABRIEL BARRY  
Statement filed with the County Clerk of San Bernardino on: 04/10/2019

I hereby certify that this copy is a correct copy of the original statement on file in my office San Bernardino County Clerk By/Deputy Notice-This fictitious name statement expires five years from the date it was filed in the office of the county clerk. A new fictitious business name statement must be filed before that time. The filing of this statement does not of itself authorize the use in this state of a fictitious business name in violation of the rights of another under federal, state, or common law (see Section 14400 et seq., Business and Professions Code). Published in the San Bernardino County Sentinel 04/26/2019, 05/03/2019, 05/10/2019, 05/17/2019 CNBB172019341R

FBN 20190004442  
The following person is doing business as: EXECUTIVE BAR SERVICES, 930 S. PALMETTO AVE #16 ONTARIO, CA, 91762; DDTC LLC 930 S. PALMETTO AVE. #16 ONTARIO, CA 91762

Business is conducted by: A LIMITED LIABILITY COMPANY.

The registrant commenced to transact business under the fictitious business name or names listed above on: N/A  
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**Public Notices**













## Loma Linda's Bailey, Leading Light In Medical Field, Lost To Cancer At 76

from front page

but died of heart failure due to organ rejection brought on by humoral response against the graft, an outcome due to Fae's type O blood creating antibodies against the type AB xenograft. In the immediacy of the emergency given young Beauclair's condition, with only seven young female baboons available to Loma Linda University all of which had

type AB, there was not time to locate within the baboon population, in which less than one percent have type O blood, a compatible donor. The intention was that the transplant could be replaced by a human heart that might conceivably become available at a later date, prior to the onset of intensified antigen-antibody reaction. When no such donor could be found, Stephanie Fae Beauclair died.

As a pioneer in the research on and the application of cross-species heart transplants, which had involved more than 150 transplants in sheep,

goats, and baboons, Bailey had entered into an arena about which ensued substantial ethical and legal debate and controversy. Bailey was subjected to criticism from within some quarters in the medical community. Hate mail streamed into the mailbox at the Redlands home he shared with Nancy. Animal rights activists charged him with "ghoulish tinkering" that was ethically unsound and cruel to animals.

A year later, Bailey performed the first infant allograft heart transplant on Eddie Anguiano, who was born

on November 16, 1985 like Beauclair with hypoplastic left heart syndrome. His death was imminent when Bailey successfully performed the procedure, using the heart of a newborn from the San Francisco Bay area with birth asphyxia, whose parents consented to the donation. Originally known as Baby Moses, Anguiano still lives with the heart that was implanted by Dr. Bailey yet beating within his 33-year-old chest.

A significant contribution that accompanied Dr. Bailey's surgical successes was the creation of a donor base for infants.

Based upon what Bailey had accomplished, organ procurement agencies around the country began encouraging institutions and heartbroken parents who had experienced the wrenching loss of a child from birth trauma or brain death to consider organ donation.

Throughout his career, Bailey transplanted hearts into 376 infants. One of those infants has now matriculated into medical school and is on a trajectory to become a surgeon. Bailey was considered the world's leading authority on congenital heart surgery, and was a consultant to or

otherwise called upon to assist over 500 surgeons worldwide. Though the sheer number of heart transplants Bailey performed is impressive, the lion's share of his surgical work fell in other areas, including open heart surgeries and all order of pediatric surgical procedures.

Bailey's work put Loma Linda University Health at the forefront of pediatric heart transplantation worldwide. Singularly or in the context of working with others he devised techniques, approaches, strategies and

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## Merritt Steadfastly Denied Being In Fallbrook On February 4, 2010

from page 8

Merritt: Okay.

Bachman: You're not answering. Your vehicle is down in Fallbrook. You're down in Fallbrook.

Merritt: When am I am supposedly in Fallbrook?

Bachman: This entire time after that.

Merritt: After 5:48?

Bachman: Yeah.

Merritt: But I got a phone call at at home in - at 5:48.

Bachman: You get a phone call at home at 5:48. I've already told you that that's already been disproven.

Merritt: I'm - I'm totally

confused.

Bachman: That phone call that everyone says is the phone call that came through while you guys are at the house, that's not - that phone call didn't happen. We have his [Joseph McStay's] records. Yeah. He dialed your phone number. But you weren't at home when you got that phone call.

Merritt: Okay. Where was I?

Bachman: Where do you think you were, Chase?

Merritt: I...

Bachman: We just talked about it for the last 30, 40 minutes.

Merritt: I wasn't in Fallbrook.

Bachman: You were in Fallbrook.

Merritt: Not possible.

Bachman: It is possible.

It's very possible. It happened. That's why I'm asking you to explain.

Merritt: If I could explain it, I would. It's not possible. The truth is, whether you want to hear it or not, I did not drive to Fallbrook on the 4th.

Bachman: You did drive to Fallbrook on the 4th. You were down there in Fallbrook on the 4th.

Merritt: What you're saying, obviously, is not going to change. What I'm saying definitely is not going to change because I would remember driving to Fallbrook on the 4th.

*Detective Daniel Hanke then took up the torch, seeking to maneuver Merritt toward an admission.*

Detective Daniel Hanke: Okay. Whether you went back down to Fall-

brook because, Chase, that's the thing you're not understanding. When you say, 'I don't recall being in Fallbrook,' we have you on video at the house. Okay? And you have to explain that.

I'm trying to give - You need to give me something that makes sense that I can say, this is why Chase was at the house. Because whether you guys argued at Chick-fil-A, whether you guys did get checks, whether you had, still had some other issues...

Merritt: We didn't argue at Chick-fil-A.

Hanke: ...you went down to Fallbrook, and we know that. Okay? You're at Fallbrook and your truck is at Fallbrook pulling out of the driveway, Chase. It's backed into the driveway, and it

pulls out. Okay? So you have to explain that to me. There has to be some explanation of why.

Merritt: If I had an explanation as to why you're saying my truck is there, I have no clue. Because if I remembered or if I could remember being there on the 4th, I would tell you. I wasn't there on the 4th.

Hanke: Here's the thing. We don't have to deal with recollection. We don't have to deal with memory. Okay? We have videotape...

Merritt: Okay.

Hanke: ...okay? With time stamps. So we don't have to worry about memory. We're not talking about that. We have video of your truck leaving the McStay house on February 4th, 2010, in the evening.

Merritt: Okay.

Hanke: You're telling us that you weren't there. So, how do I explain your vehicle leaving the McStay house? You have to think about this. You're smack dab in the middle of a murder investigation involving this family. And you're going to have to explain why your vehicle was there.

Merritt: I can't. Because I don't think it was there, so I...

Hanke: But it was. It was there. And you're not getting the point I'm trying to make. There's a murder investigation.

Merritt: I understand.

Hanke: And you're not giving us the total truth. You're not giving us the truth, the full truth.

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## Bechtel

from page 9

tack the other team in all phases of the game. The playbook will be an ongoing thing, but the players need to have the basics mastered by the end of our summer program. That is the goal."

The players aren't the only ones learning, Bechtel said. He only recently re-arrived at Damien and until that happened a few short months ago, he was less than fully familiar with who most of the players were and where their individual talents lay. "I saw Damien live against Charter Oak be-

cause we [South Hills High, where he coached that team to the Hacienda League and then the CIF Southern Section Division 6 championships in 2018] were off that night," he said.

After he was hired by Damien, he availed himself of the film footage of the team's performances last fall. As he watched those, he said, he realized, "The positive is Damien has some pretty good football players. The biggest problem is they didn't play together as a unit. To be successful all 11 guys have to be playing together as a unit. During the written interview

I requested of them, I confirmed this disunity. They had a blame game going with each other." Bechtel said he knew at that point the whole team unity piece needed to be stronger.

"Obviously some kids have experience coming back, and it's nice when you have kids that have varsity experience," Bechtel said. "On offense there is some experience, which means this is not going to be their first dance at the varsity level and that's always a positive. Some players have improved and excelled, and we will be returning with a few all-league guys, so there's

definitely a good nucleus to build from. There's also work to be done."

Bechtel said he is not counting on transfer players arriving at Damien before the season starts. "I don't know of any new kids coming in," he said. "Most of the time, by rules we're not allowed to speak to any potential transfers. That happens at the level of the athletic director. We're going into the summer program with guys we've got, and we feel good about the guys we have," he said.

A c c o m p a n y i n g Bechtel is a major contingent of the coaches who were with him dur-

ing his successful three-year run at South Hills High School, four years at Chino Hills High prior to that, as well as Colony High School before he moved to Chino Hills, the only exception on the defensive side being cornerback coach James Heggins, whose experience includes coaching at Mt San Antonio College as well as eight years as the head coach at Baldwin Park High School.

"With the majority of my staff, I didn't feel I needed to choose because we have been together for so long," Bechtel said. "With the exception of Coach

Heggins, the defensive coaching staff and I have been together since 2010. The continuity of staff is a big part of why the performance of my teams has been so good over the years."

We will say it again, Bechtel is "Building a Team!" It is our observation the boys have gravitated to Bechtel in a different way than players in the past followed their mentor. Coach Bechtel is building a wolf pack like wolves build their community. He's conditioning the players with what comes across as

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## Merritt Refuted Detectives' Claims He Was At The Mc- Stay Family Grave Site On February 6, 2010 from page 18

And what you're doing is, you're digging a hole for yourself. Okay? And you're digging straight down. You keep digging that hole. You can use that shovel to keep digging and get farther and farther down, or you can use that shovel, prop it up on the side and help yourself climb out. There has to be some explanation why your truck was there.

Merritt: Joseph and I did not argue that day, not about a \$2,500 check, not about anything.

Hanke: Why is your truck...

Merritt: We did not argue.

Hanke: Why is your truck at the house?

Merritt: Don't know. Okay. If - There's no possible way that I can think of that my truck was there on the 4th.

Hanke: Did you let somebody borrow your truck, Chase?

Merritt: No. No.

Hanke: Did anybody else have access to your vehicle?

Merritt: No.

Hanke: Anybody else drive your truck down there?

Merritt: No. My truck was parked at my house. I've done what I can. I've done what I can do. I've told you to the best of my recollection, I don't think that it's at all possible. I understand you're saying that my truck was there. I don't think it's at all possible that that's the case. I'm not going to argue back and forth with it. That is - I don't see where it's possible. I don't see where it's possible. Matter of fact, I know I know for a fact that I was at the grave site on...

Hanke: Well, you were in the desert. And you're also at Fallbrook. And we talked about it. Is that just some coincidence? I mean, it sounds like a crazy coincidence. I mean, you know. And it doesn't make sense to me how this family is murdered on the 4th, your

vehicle is seen on the 4th. You're the last person to talk to Joseph. There's vehicle tracks matching exactly your truck at the grave site. Two days after they're murdered.

Merritt: I'm quite sure they match exactly a lot of trucks.

Hanke: Well...

Merritt: But...

Hanke: Okay. But a lot of truck drivers don't also have their phone showing in that same area. Okay? So...

Merritt: My phone did not show in that area because I wasn't there.

Hanke: Okay. And you said that. You said that. That's fine. But we have a lot of things we can show you on some of these records. We could show you, again, we have a lot of things. And we're trying to give you the opportunity to explain it, and you're not doing a good job doing that. You're not explaining any of these things. And that picture, that puzzle that we've been building for four-and-a-half years shows one puzzle. You're the only person not fitting in that puzzle. Whether you're lying intentionally or whether you're trying to say you forgot, whether you're trying to block it out, whatever the issue is, whatever the issues are, there's something, okay, you haven't given us.

Merritt: Well, I don't know what you know. You're throwing these things at me like they're facts...  
Hanke: They are facts, Chase.  
Merritt: ...and I don't recollect being there. Matter of fact, I wasn't there. And I definitely wasn't at the desert. And I don't know what to say other than that. I mean, what do you want me to tell you?

Merritt: Well, I don't know what you know. You're throwing these things at me like they're facts...

Hanke: They are facts, Chase.

Merritt: ...and I don't recollect being there. Matter of fact, I wasn't there. And I definitely wasn't at the desert. And I don't know what to say other than that. I mean, what do you want me to tell you?

At that point, Bachman leapt back into the fray.

Bachman: What was your phone number at the time, Chase?

Merritt: I don't remember.

Bachman: 909-374-0102, does that sound familiar?

Merritt: Probably.

Bachman then displayed for Merritt copies of his cell phone records from February 2010.

Bachman: Okay. These

highlighted portions right here, those are all - these all come back with your coordinates, GPS coordinates of where you're at. That's where the grave site is at. Okay. There's a series of phone calls that are made right there that are out at the grave site. I'm not bullshitting you, Chase. You get a series of phone calls from different people while you're out there at the grave site. What we want to know is what you're doing out there, Chase. I mean, are you out there burying four bodies?

Merritt: I don't know what to tell you. I wasn't there. That - I have no idea what those coordinates are. But it's not...

Bachman: Were you out there burying four bodies, Chase?

Merritt: Of course not. No. Of course not.

Bachman: Why is your phone showing you in that area?

Merritt: I wasn't in that area.

Bachman: Why does your phone show you're out in that area?

Merritt: I have no clue. But that's wrong. I wasn't there. There is no way possible.

Bachman: We're not - I'm not - I'm not bullshitting you. Okay?

Merritt: The first time I was ever anywhere near that area, ever in my entire life, was the first time I went and saw the cross - or the crosses, the very first time I ever went there.

Bachman: I'm trying to figure out why these would show out there in the graves, out there at the graves, why we have other stuff down there on the 4th. I mean, help us understand, Chase.

Merritt: I don't - I can't help you understand something that I don't understand myself, because that's not possible.

Bachman: Well, this is possible.

Merritt: It's not. It's impossible.

Bachman: And here's why: Do you remember what Cathy's phone number was back at that time?

Merritt: No.

Bachman: Okay. Does 909-226-1191 sound familiar?

Merritt: Sounds familiar.

Bachman: Okay. Well, there's a series of phone calls from your phone to her phone and back and forth. 909-374-8951, I think that's Taylor's phone at the time.

Merritt: Maybe.

Taylor is Merritt's daughter.

Bachman: Okay. There's a phone call to her - or between you and her while you're out there. So, I mean, it's not somebody else's phone. It's your phone.

Merritt: Oh, I'm not arguing the fact that it's my phone. But I'm telling you, my phone and I was not at - is not where you're saying

Bachman: What were you doing in the desert then? If you're not, if that's not you at the grave sites, what were you doing in the desert?

Merritt: If I was in the desert, there was two places I would have been. Either my older sister's in Oro Grande or my brother's.

Bachman: Okay. The 4th. I asked you to think about that.

Merritt: I can't think of any explanation, because I don't recall ever driving down there. And I think that if I drove down there, especially on the 4th, I would remember it.

Bachman: Is it possible - because I'm telling you we have video - is it possible that you went down there and you don't remember?

Merritt: I don't think so. I don't think it's at all possible.

Bachman: Okay. So nobody borrowed your truck?

Merritt: No. Nobody would have borrowed my truck.

Bachman: Nobody borrowed your phone?

Merritt: No, definitely not.

Bachman: Your records don't show you're still there at the house, so -

Merritt: Excuse me.

Bachman: I mean, is there any - that's why I'm saying, if there's something, some reason that you went down there that you don't remember?

Merritt: Not at all. I apologize. But not at all.

Bachman: I'm trying to have you explain what happened that night to clarify your half of it.

Merritt: If I could - if I

could tell you that I went down there for any specific reason, I would. But on the 4th, I don't see how I could have been there.

Bachman: Well, I do. That's...

Merritt: Okay. I understand. Believe me. I understand. I understand. And I was sitting here thinking, how would, if you're telling me the truth, because, I mean, obviously, and not to say you're a liar, or anything, but you're trying to get to the truth.

Bachman: Right.

Merritt: And I understand. It doesn't make any difference what means is necessary. You need to use them to get to, to find the truth. I understand that. But with that said, if you are telling me the truth and there is a video of my truck being there, okay. I was, when you were gone, you asked me to think about it.

Bachman: Right.

Merritt: And I was thinking about it. I was thinking, you know, how the fuck could that be? And it doesn't make any sense. And I was just thinking, you know, I was like, well, you know, possibly the only explanation I can come - I could figure out, possibly, and I have because I have no idea how videos work. I have no clue. But the only possibility that I could think of: possibly, the time stamp could be wrong.

Bachman: The time stamp is not wrong.

Merritt: Okay. You understand videos better than I do. Because I have no idea.

Bachman: Right.

Merritt: I just - But other than that, I have no clue.

Bachman: Well, I can assure you and I know that that's a lot of times a tactic that people believe that cops use. And that is a tactic I'm sure that's used to lie and...

Merritt: Of course. Yeah. And I don't - trust me I would never - hold it against you. You're trying to get to the truth. I understand.

Bachman: These deals that we're talking about, about the phone records and about the video surveillance and stuff like that, I can assure you,

Chase, that I am not lying about that. You have my word that that is not a lie. It is not a lie whatsoever. Okay? That's why I'm trying to get you to explain to me what your truck's doing down there. Okay?

Merritt: Okay.

Bachman: And...

Merritt: No clue. I don't remember being there. I don't believe I was there. And as far as being anywhere near where Joseph was buried before the time that I went out there and went to the cross, it's impossible. Because that was the very first time I had ever been anywhere remotely in that area.

Bachman: Do you go out there and - is it a dry...

Merritt: Dry wash?

Bachman: Dry wash?

Merritt: No. No.

Bachman: That's not an area that you would go dry wash.

*Dry washing is a method of gold prospecting that makes use of dry washers. Dry washers are devices invented by Thomas Edison used to separate gold from lighter material without the use of water, utilizing a regulated air flow, which blows off lighter material and allows the gold to settle.*

Merritt: Oh, hell, no. I'm quite sure there's no gold in that area.

Bachman: Do you go to the Victorville dump out there?

Merritt: No. No. I have no reason to go to the dump. I don't live there. I've never even been to the Victorville dump.

Bachman: And that's another thing that I'm telling you, that that's not another thing that I'm giving you that's bullshit. Okay? That's not bullshit. It's a fact.

Merritt: It's impossible. If you're saying it was my phone, it's absolutely impossible for my phone to be there. It's impossible because...

Bachman: I can only go off of the...

Merritt: My phone only went where I went...

Bachman: ...information that AT&T gives me. Okay? I can only go off of that. And I give it to somebody, like I said, who's much more educated than I am, as far

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## Bailey, A Life On The Cutting Edge from page 18

innovations that in a select set of cases avoided the need for patients undergoing a transplant in favor of repairing some congenital heart defects.

During his 42 years with the Loma Linda University Health Institution, Bailey distinguished himself as a professor of cardiovascular and thoracic surgery and of pediatrics at Loma Linda University School of Medicine and surgeon-in-chief at Loma Linda University Children's Hospital.

Bailey downplayed the suggestion that he was the pioneer the rest of the world was crediting him with being, pointing out that others broke the ground he later cultivated so successfully. "I'd had a fascination with transplantation since visiting a laboratory at Stanford while I was in medical school," Bailey said in an interview with Larry Kidder done for *Scope*, a publication of the Loma Linda University Adventist Health Sciences Center done in 2007. "I thought the natural thing would be to put the two together – babies born with incurable heart disease who are dying, and this transplantation technology that hadn't found life yet in this age group. Oddly enough, one of the very first transplants – and probably the first transplant done in this country human to human – was on a newborn baby. Dr. Adrian Kantrowitz in New York had done a few infant animal transplants in his laboratory, and had this same notion that transplantation ought to be good for babies with broken hearts too. So he made that attempt in 1967. The baby actually didn't survive. I believe they were able to get the baby out of the operating room and into the intensive care unit for about five or six hours, and that was as far as it got."

Bailey told Kidder that "Dr. Jim Hardy had put a chimpanzee heart in a human down at the

University of Mississippi, in Jackson, in the mid-1960s. He had a patient with terrible heart disease whom he couldn't wean off the heart/lung machine. He'd always had an interest in the idea of transplantation but hadn't worked it out fully. Nevertheless, he went down to the lab and found an aging chimpanzee, harvested the heart, and put it in this fellow. It worked for awhile, but it wouldn't sustain his circulation beyond the operating room. When they performed an autopsy on the chimpanzee's heart, lo and behold, the old chimp was suffering from severe coronary artery disease. It probably wasn't really a fair situation."

Bailey pointed out that, "Dr. Keith Reemtsma had transplanted chimpanzee kidneys into human beings at Tulane in those early days, and actually had done reasonably well with that group of patients."

Bailey insisted he had been able to succeed because Loma Linda University had supported his research. "When I returned to Loma Linda from training, the surgery department was very generous with me. They budgeted some money for a laboratory. We got the laboratory going again – it had kind of fallen idle for a while. Dr. Lou Smith, who did the first organ transplant at Loma Linda University, had an active laboratory program going for

a number of years. So we found some funding, put the lab back together, and hired some technical people to help with transplanting and looking after some little newborn goats."

Bailey explained to Kidder he was interested in working with newborn goats for multiple reasons, which included that they were "easy to test... and very hardy, as opposed to lambs, which aren't nearly as tough. So lambs, at some level, became donors, and goats were always the recipients."

He learned much from his experimentation on goats, Bailey said in the *Scope* interview. "One of the greatest stimuli I had when I was studying pediatric heart surgery up in Canada was the awareness that the newborn immune system is indeed fairly special—it has very little of the aggressiveness of the older child or an adult. It has no experience, which helps. And much of the suppressor type behavior is still intact in the newborn. So the possibility that a newborn could receive a graft and actually grow up without any immune suppression was curious enough. We were able to demonstrate close to that. We had a baby goat named Livingston who was transplanted as a newborn and grew to 6 months of age with no immunosuppression at all. On average however, the transplanted goats with-

out immunosuppression survived about two and a half months. Then they began a slow rejection process. So their immune systems, we knew from that experience, were intact—they were just much more accommodating as newborns."

Bailey said his progress was boosted by the advances others were making at the time.

"A fellow by the name of John Borel, in Basil, Switzerland, was working for a pharmaceutical house," Bailey recounted to Kidder. "He had found a fungus-like substance out in the hills. His job was to study it and see if there was anything there that he could make a medicine out of. I think he was originally looking to see if he could find something that would be effective with allergies. He began to study the immune properties of this substance and how it might alter the immune response in a host. It was pretty promising—something called cyclosporine. I contacted John Borel—I'd met him earlier at a presentation I was making one time down in Texas. He began to send this material to me in brown jars. It was a powder. You had to mix it with some oily substance in order to get it suspended. And then you could begin to quantitate how much you were giving an animal. We prepared a group of little goats for allograft transplants—goat to goat. We performed the

transplants and treated them with cyclosporin all along. With that, they lived indefinitely. That was all it took. Cyclosporin-A became the mainstay of our immunosuppression. That took our breath away—the fact that we could transplant a baby at birth and have that baby grow up with nothing more than receiving injections of this oily substance."

Even as he was functioning at the extreme end of the adult world, Bailey never lost sight of the fact that his patients were children, and he routinely wore neckties that featured cartoon characters. Likewise, his standing as a point man in the scientific world was leavened by his religious faith. In the aftermath of the operation on Baby Fae, when he was asked why he had used the heart from a baboon as opposed to a primate higher up the evolutionary chain and closer to humans, Bailey stated he did not believe in evolution. In 2017, he remarked, "When we operate on these babies, the hope is that they will live longer than us. It's nice to know that's playing out. Often when we start a case we thank the Almighty that He has put us in this position to help and that the outcomes will be according to His will."

Born Leonard Lee Bailey on August 28, 1942 in Takoma Park, Maryland, his father was a professional chef. He

credited his parents with inspiring him to "dream big." He graduated from Columbia Union College – now Washington Adventist University – in 1964. He subsequently obtained his MD from the Loma Linda University School of Medicine in 1969.

It was during a thoracic and cardiovascular surgery residency at Toronto's Hospital for Sick Children in the 1970s that he witnessed recurrences of babies dying from hypoplastic left heart syndrome, and was profoundly disturbed that the condition was not correctable through reconstructive heart surgery.

He returned to Loma Linda University in 1976 to join the faculty as an assistant professor at the School of Medicine. It was at that point that he embarked on the more than 200 experimental transplantations in infant research animals to prepare himself to bound toward transplantation in young humans.

"In those days, the advice to parents was to leave the baby here to die or take it home to die," Bailey said in a 2009 interview.

Bailey was diagnosed with cancer of the tongue in 2001. Therapy he underwent slowed the progression of the disease, but over the course of 18 years it spread throughout his body. He made no secret of the fact that he was fighting the disease, which ultimately claimed him.

"Our colleague and friend, Len Bailey, served this institution and the world beyond with dignity and courage," said Richard Hart, MD, PhD, president of Loma Linda University Health. "Despite his fame, he was always part of our own faculty family and stood tall in later years as one of our senior statesmen. His humble demeanor and quest for quality exemplified the best of our core values."

Bailey is survived by his two sons, Brooks and Connor.

-Mark Gutglueck



Baby Fae grips Dr. Leonard Bailey's finger on October 26, 1984

## In Face Of Accusations, Bluffs, Misrepresentations & Intimidation, Merritt Stuck With His Original Story

from page 19

as plotting and doing all that stuff.

Merritt: Right. Well, keep in mind --

Bachman: I mean, his coordinates are out there.

Merritt: You know where my sister lives, right?

Bachman: I do.

Merritt: Okay. You know that it's directly over the mountain.

Bachman: Well, are you talking about, okay, where she lives now, or where she lived...

Merritt: In Oro Grande.

Bachman: Okay. I think she lives somewhere else now, right?

Merritt: Out in Apple Valley.

Bachman: Okay.

Merritt: Yeah.

Bachman: So you're talking about the other house?

Merritt: The other house in Oro Grande.

Bachman: Okay.

Merritt: Do you know where that is?

Bachman: Yeah.

Merritt: Okay. That's directly over the mountain from the grave site.

Bachman: Okay.

Merritt: I don't know how many miles. It's quite a few miles, I'm sure. I mean, it's, by the way the crows fly, I wouldn't guess more than five miles, maybe. I don't know.

Bachman: Okay.

Merritt: It couldn't be too far. It's completely different directions to get there. You can't really get there from my sister's house unless...

Bachman: When we started this out, and I asked you, on February 5th - or I asked you for the week of - 'After that they went missing, were you in the High Desert at all?' And you said, 'Oh, absolutely not.'

Merritt: I don't think so.

Bachman: Okay.

Merritt: But if there's any chance that I was on the desert, it was either at my sister's or my brother's.

Bachman: Okay. And at that time your sister lived out on National

Trails?

Merritt: Yeah, of course.

Bachman: And then whose house is that?

Merritt: Jim. Jim. Well, she lives there. She had half of the property, and she lived on - in - a motor home - or a double-wide trailer there.

Bachman: Okay. So there is a chance that you could have been up in Oro Grande on the 6th.

Merritt: Oh, there's a chance that I was in Oro Grande, but there's no chance I was anywhere near that grave site...

Bachman: And the reason I ask is if...

Merritt: ...whatsoever.

Bachman: ...if there's a chance that you're up in the desert, the way that the cell phone towers work funny. Like you can tell when you look at this engineer guy, he can look at it and he can go, 'Oh, no, this phone was over in this area. It wasn't over off this area.'

Merritt: Yeah, of course.

Bachman: That's what I'm asking, like if you, if there's a chance you were up in the area and say that says, but I'll go back to him and see what he...

Merritt: You should go back to him, because in Oro Grande, I mean Oro Grande is probably - I don't know how many miles it would be. But it's not that far from - I would say...

Bachman: I know how far it is.

Merritt: ...as the crow flies - okay.

Bachman: Yeah.

Merritt: Okay. It's, by the way the crow flies - what? - five, six miles?

Bachman: Right around.

Merritt: Yeah, somewhere around there. I don't - but you really can't get there from my sister's unless you go down the freeway, you go all the way to the freeway, I believe, and then around the mountain.

Bachman: Could you get there, like, are there back roads that you would be able to get...

Merritt: Oh, there's a lot of - I'm assuming there's got to be - back roads to Oro Grande.

There's a lot of gold prospecting and stuff in Oro Grande.

Bachman: Okay.

Merritt: But it's on this side of the mountain. And that's a very large mountain.

Bachman: So on the 6th is there a chance that you went to your sister's house and you don't remember it?

Merritt: Well, I may have been at my sister's house. I don't know. I told you. I said...

Bachman: Well...

Merritt: ...the only two places I would have been is my sister's or...

Bachman: That's what I'm saying.

Merritt: ...my brother's. Well, anyway, there's no, simply no, chance I was anywhere near. If I was in Oro Grande, possibly. But I don't remember even being in Oro Grande. I don't remember being in the High Desert, so I just don't remember being up there. But the only reason I would go to the High Desert is to see my sister Anita or my brother Bennett.

Bachman: So we'll see if we can explain the 6th. All right? We'll see if we can figure it out. There may have been a chance you were in the desert. You're saying you weren't over there.

Merritt: It's impossible. There's no way I was anywhere over there.

Bachman: Okay. Juanita and Ben both said you weren't out there, so and that's when I went and interviewed them. That's what they said. But...

Merritt: Then I probably wasn't there. I mean, yeah. On the 6th, I don't, like I told you before, I don't recall being out in the desert at all on the 6th.

Bachman: Right.

Merritt: So, it's not real likely.

Bachman: Your phone hits up in the desert. That's why I'm asking. And it's a pretty particular area, so...

Merritt: Well, if it, if my phone hit up there, it would have been because I was at my sister Juanita's. That would be the only reason I'd be there.

Bachman: Got that figured out. Now, let's go back to the 4th. All right? We've got to figure this 4th thing out. All right? Because, ul-

timately, when this all unfolds, and everything like that, they're they're going to look at your statements. They're going to look at Cathy's statements. They're going to look at the totality of everything. And they're going to try to figure out, why would they lie? Why would they lie and say that he was at home or he wasn't down there? And Chase, I get it. If you didn't have any involvement with this and you went down there for some reason, as stupid as it may be, like to go get a check or to go to drop something off or to do whatever, if you had to pick up paperwork, if you had to pick something up, I get it. Okay? But the problem is, is the evidence doesn't show you were at home, Chase. All right? And if there was no involvement on your part...

Merritt: I get that.

Bachman: Then help me understand. Why come up with all this? Okay? You were down there. You were not at home. The alibi, the alibi or the story and all that is not true. Okay?

Merritt: Well, I don't know what to say. I have no recollection of driving to Fallbrook on the 4th. I have no recollection of even having any reason to be there. And to the best of my knowledge, I was at home. So there's - I mean, do I remember getting Joseph's phone call? No. I told you that. If I did, I would tell you. I actually in going over the conversations with [San Diego County Sheriff's Detective Troy] DuGal - I think it was with DuGal, maybe his female partner that he had...

Bachman: Fiske?

Merritt: Fiske? Is that her name?

Bachman: Yeah.

Merritt: I mentioned to her, I said, you know, I'm kind of going on Cathy's memory because, and I don't remember, even back then. I don't don't remember the majority of that evening.

I remember part of the day. I remember meeting with Joseph. I remember eating. I remember, you know...

Bachman: That's what I'm saying, a key portion

of that evening you don't remember.

Merritt: But the key portion of that day, for me - the exciting part of that day - you've got to, you have to realize, if you look back at that day...

Bachman: I did. And you guys had big things going.

Merritt: Huge things going.

Bachman: You talked about all this stuff.

Merritt: Okay. But that day, after Joseph left, in my life at that time, until a week later or more, was not a significant time. So there was - it wasn't a significant event until later. And then I had to re-recall it. So you're - you keep saying, well, this is a key, the key time. But reality is...

Bachman: Well, it was.

Merritt: ...it - the key time that I was remembering is the time that we're [doing] something that was important...

Bachman: But it was. Because at some point, whether you have that sit-down lunch with him, or whatever - now, that's not the last time that you had any contact with him.

Merritt: No. No. Of course not.

Bachman: So afterwards you have contact with him. But then you go back down to the house. I mean, was he not there when you got to the house?

Merritt: I don't remember going to the house. So I don't know why you - I don't understand why you keep asking me the same question. The thing is that I don't recall being at the house. I don't, as a matter of fact, I know for a fact, I had no reason to drive there. There was no reason to be there. None whatsoever.

Bachman: Then why is the truck and everything there?

Merritt: I don't know. I don't get it. I don't know. Maybe you should go back and possibly look at the time stamps.

Bachman: We've looked at the time stamps. Everything.

Merritt: Maybe you should do it again.

Bachman: Everything

Merritt: Because there's - there was no reason for me to be there.

Bachman: The time stamps are fine. February 4th. You're there on February 4th. Your vehicle pulls out of their driveway on February 4th. Okay?

Merritt: I wasn't down there - or I wasn't up there, down there. I wasn't down there. I was - Joseph came to me on February 4th.

Bachman: Earlier in the day he did. But in that evening, you're down in Fallbrook.

Merritt: I had no reason to be.

Bachman: But you were down there, so...

Merritt: I had no reason to be there. I wish I could give you an explanation. But I don't remember going. I don't remember having a reason to go. I remember the day differently. There's just simply - I don't see any possibility or possible way that I was in Fallbrook. I'm sorry. But that's - I just don't see any possible way.

Bachman: You were there. And that's why, that's the whole point of this, is trying to come up with an explanation of why you were there.

Merritt: I understand. I completely understand. But there's got to be another, more plausible, explanation than - I mean -

Bachman: Well, that's what I'm hoping for.

Merritt: There's got to be. But I - it doesn't seem like I can give you one. Because I just have no clue. I, honestly, don't have any clue. And, you know, Cathy - as matter of fact, Cathy told you. If there was any - if there was something that I was hiding that would bring her into this, I would never do it intentionally.

*The Cathy referred to is Cathy Jarvis, Merritt's common law wife, the mother of his three children.*

Bachman: But I'm trying to explain why your car was down there.

Merritt: I would love to. Honestly, I would love to. I can't explain it. I have no idea. If I could, I would. As far as my truck, I can't explain it. I have no clue. I don't recall being there. I don't recall any reason for

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## Bechtel from page 18

an almost scientific precision, with every action proceeding from the foundation before it. This is reminiscent of the film *Reservoir Dogs*, where criminals are hired to commit a robbery. The difference is these boys aren't criminals; they're a wolf-pack of God and they're the Spartan Football Team being produced by Matt Bechtel instead of Quentin Tarantino. This is a for-real and legal heist where winner takes all, as in all-the-way-to-CIF

all. The goal is to function as one and to prepare to react in unison when game time comes.

Bechtel's motto of team building means everyone is aligned, everyone is responsible, everyone works together and, lastly, they will attack together as a whole and not as forlorn individuals or lone wolves.

The response he receives from these teens is obvious. They accord him great respect. At the end of practice you see Bechtel walking away, leading his pack of wolves, the green and gold Spartans, fol-

lowing behind with awe and, once again, respect. Bechtel is definitely following the rules and sending a strong message to the entire Spartan community. When it comes to a team hopefuls' eligibility, Coach Bechtel is strict. Boys are being benched if they're not meeting the GPA requirement, and if they don't get it together, they're not going to be eligible to play or participate in practice time, let alone game time.

Given the tremendous success Bechtel achieved at South Hills, capped with last year's

achievement, it is all the more remarkable that he is at Damien. His place at South Hills would have been secure, most likely, for the next decade. Yet, he said, he has forever longed to return to Damien, relating that whenever he was coaching elsewhere and would return to the Damien campus to participate in tournaments or other athletic endeavors, he felt like he was competing against his brothers. It was at Damien, he said, that he had learned the lion's share of what he knows and had matured into what he is to-

day.

As in the words of Damien's official song, "We will return again." Driving him now, he said, is the desire to instill in the young men at Damien the values Damien instilled in him. "I feel I am fortunate to have a such an impactful job," he said. "My job is to prepare these guys for life. Winning is important, but my job is to prepare these guys for life after high school, to show the importance of being a good person, respecting teammates, respecting the school, and maintaining grades in

order to achieve beyond school, beyond the gridiron, to be successful in life. All those things are above winning and losing."

*Damien High School, an all-male high school located across the Los Angeles/San Bernardino County line in La Verne, and its sister campuses, Pomona Catholic and St. Lucy's, open only to young women, are the primary venues for students residing on the west side of San Bernardino County who with their parents are intent on receiving a Catholic education.*

## Threatening Lawsuit Alienated Vagnozzi's Key Supporters On The Council from page 7

status intact and held in place by means of delicate political threads. The once-perceived displacement of the ruling coalition of which Mayor Stone had been an intrinsic part when the other three members – Timm, Robinson and Filippi – left the council, remarkably, had not been fully effectuated. Councilman Felix had not joined with Elliott and Zuniga to create a new ruling dynamic on the council. After Elliott in January, in an effort toward bridge-building and compromise, provided a crucial third vote to go along with installing Planning Commissioner Bill Velto, who was Felix and Stone's choice, to fill the gap on the council, Velto gravitated toward an alliance with Stone and Felix. The third vote Elliott and Zuniga needed to actually terminate Vagnozzi remained elusive. That did not prevent Elliott and Zuniga from requesting and obtaining permission to discuss in closed session the quality of Vagnozzi's service.

At a specially called meeting on March 4 the council had a closed door meeting for the purpose of a "public employee performance evaluation" relating to the city manager. Likewise, at a specially called meeting

on March 17 the council had a closed door meeting for the purpose of a "public employee performance evaluation" relating to the city manager. Given that Vagnozzi's contract specified that her termination could not come until 90 days after a city council member had been sworn into office, the council could not have voted at either of those junctures to fire the city manager, given that Velto had taken his place on the council on January 28. The council scheduled yet another specially called meeting on April 29, the first day upon which Vagnozzi could be terminated under the terms of her contract, for yet another closed door meeting for the purpose of a "public employee performance evaluation" relating to the city manager. Given the limitations of the description of what was to be discussed, the council at that point had not given itself the option of firing her. There was no action reported to the public after the April 29 meeting, meaning Vagnozzi was yet in place. There was no sign at that point that either Velto or Felix were willing to join with Elliott and Zuniga in handing the city manager a pink slip.

At that point, however, Vagnozzi appears to have made a crucial error in judgment. Panicked or otherwise unnerved at the constant evaluations and their import, she retained a lawyer, Woodland Hills-based Terry

Goldberg. Focusing on those recurrent evaluations, Goldberg sought to fire a shot across the city council's bow to convince its members that the city would run the risk of a wrongful termination suit if it did in fact let Vagnozzi go. Goldberg's methodology for doing so entailed a comedy of errors which ultimately had the precisely exact opposite effect than what was intended.

Through his firm, Goldberg & Gage, Goldberg filed with the State of California's Department of Fair Employment and Housing a discrimination complaint on Vagnozzi's behalf on May 2. In a rapid turnaround, the State of California's Department of Fair Employment and Housing on the same day returned to Vagnozzi, in care of the Goldberg & Gage firm, a document known as a notice of case closure and right to sue. That letter stated that because Vagnozzi, through Goldberg, had requested an immediate right to sue, the State of California's Department of Fair Employment and Housing would not itself pursue an investigation of the alleged discrimination but rather had cleared Vagnozzi to pursue a lawsuit against the city in a California court of competent jurisdiction on her own. The letter stated that Vagnozzi had one year from the May 2 date to file such a civil action. It further stated that if Vagnozzi

intended to pursue a case against the city for discrimination in federal court, she must seek a federal right to sue letter within 30 days of receiving the May 2 letter or within 300 days of the alleged discriminatory act, whichever is earlier. On May 6, Goldberg's assistant, Christina Lara, sent Upland City Clerk Keri Johnson a letter from Goldberg informing Johnson and the City of Upland that Vagnozzi had obtained a right to sue letter from the State of California's Department of Fair Employment and Housing. Upon receiving the letter, Johnson made general distribution of it, which included members of the city council. The upshot of Goldberg's communication – that Vagnozzi was contemplating suing the city – was startling in and of itself. Exacerbating the situation, the complaint to the California Department of Fair Employment and Housing was included as an attachment to Goldberg's letter. In the complaint Goldberg stated that Vagnozzi had "suffered discrimination, retaliation, and harassment based on her protected characteristics/activities." Those characteristics consisted of, Goldberg stated, her "religious creed, dress and grooming practices, sex/gender, medical condition (cancer or genetic characteristic), age (40 and over), marital status," and other issues associated with her being a

"member of a protected class."

Furthermore, the letter stated that Vagnozzi "was terminated, asked impermissible non-job-related questions" and "denied a work environment free of discrimination and/or retaliation."

Based on the tortured language in the complaint, word spread throughout City Hall that the unmarried Vagnozzi was gay and suffering from cancer, had been outed as a lesbian, and had been fired. In short order reports to the same effect had reached a substantial number of Upland residents, most particularly within those circles which had been at odds with her and City Hall for more than two years over the fire department shuttering and the fire service assessments.

Of crucial import to Vagnozzi was the impact of all of this upon the three members of the city council who until that point had not been sold on the wisdom of dispensing with her services – Stone, Felix and Velto. All three were rocked by the recognition that the city manager was on the verge of suing the city. Troubling as well was the consideration that her lawyer had moved to the conclusion, before the fact, that Vagnozzi had been fired.

Of the greatest significance was the inference that Felix drew from the tangle of circumstance. A devout and practicing member of the Up-

land congregation of the Church of Jesus Christ of Latter-day Saints with three young and impressionable daughters and whose public persona is shot through with references to his religiosity, Felix was overwhelmed by the entire circumstance, unable to process Vagnozzi's attorney's accusation that he and his colleagues had engaged in a show of prejudice against the city manager, particularly given that he had no previous inkling about her sexual orientation one way or the other. Seriously taken aback, he went along by the close of the business day on May 8, with Elliott, Zuniga and Velto in scheduling for the May 13 regular council meeting a closed session discussion that was to include a "performance evaluation and consideration of public employee dismissal" relating to the city manager. Somewhat belatedly, Vagnozzi appeared to recognize that events were moving beyond her span of control. In response to the *Sentinel's* inquiry on Thursday, May 9, she offered a terse and guarded statement, acknowledging that she had retained legal counsel, but downplaying the resultant legal threat to the city. "I have a right to representation, and I have retained a lawyer to make sure I am represented," she said.

She then moved to dispel the widespread

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## Sheriff's Sergeant Acknowledges Lackadaisical Examination Of Evidence In McStay Case

from page 21

me to drive there. And I, honestly, don't. I don't see there would be any possible way that I was in Fallbrook on the 4th...

Bachman: It happened. Merritt: ...at at any time on the 4th.

Bachman: It happened. Merritt: Well, I don't know what to say. I don't recall ever being there on the 4th. Not even - no. I don't see how it's possible, so...

Bachman: I mean, I'm telling you it's possible, because it happened. Merritt: Okay. You

know, we can go back and forth, but I don't see how it could be so. I didn't say I - as far as being at Joseph's house on the 4th - I didn't say 'I don't remember.' I pretty much said there is really no possibility that I was there. What I would like you to do, go back to the drawing board and look a little closer. Because I don't see that there's any possible way that I could have been there. And there's no possible way that I was ever at the grave - grave sites before the day that I went to that cross. It's just not possible. I'm sure you're thorough. I mean you guys, it's your job to be thorough. But I think that you should go back and look at where, you know, the possibility of me, if I was in in the High Desert, it was definitely not in that area. It's not even possible. The first time I had ever been there was the first time I went there ... to see the cross. And I don't even remember being in the High Desert. But that's neither here nor there. I mean, if I was, I was. But I wasn't anywhere near that grave site. It's impossible. I've - I've never been there before the time that I went to see the cross."

After the excerpts from the interrogation had been played for the jury, Maline continued with his examination of Detective Bachman. Maline noted that in seek-

ing to trap Merritt into admitting he was at the McStay home on February 4, 2010, Bachman told Merritt that his cell phone records placed him in Fallbrook that evening.

"That was not correct, upon your part," Maline said.

"As far as his phone records?" Bachman sought to clarify the question.

"Correct," said Maline.

"Correct," Bachman said.

"So was that something you did intentionally to spur, as the judge indicated before, to sometimes unfortunately say things that are not true to maybe get someone to say something?" Maline asked.

"During that timeframe his phone records were off, but they didn't show him in Fallbrook," Bachman said, acknowledging he had lied to Merritt while interrogating him.

"So, again, was that one of the techniques you were using?" Maline asked.

"You can say that, yeah," Bachman said.

"You were referring to a phone call at 5:48 [pm on February 4, 2010] because on Mr. Merritt's cell phone records you recalled there was a phone call at 5:48, correct?" Maline asked.

"I don't remember the exact time but the last completed call to him was in that timeframe," Bachman said.

"And do you recall who that phone call was between?" Maline asked.

"The phone records indicated it was from Mr. Merritt and Mr. McStay," Bachman said.

"So at 5:48 that phone call between Mr. Merritt and Mr. McStay occurs, but it appears that at least in this conversation or the questions you are asking is you indicated that call had already been disproven," Maline asked. "Had that call been disproven [as having taken place]?"

"I think on that part I made a mistake, and I was likely referring to the 8 o'clock phone call," Bachman said.

"You mean the 8:30 phone call, or the 8:28

[pm February 4, 2010]?" Maline asked.

"Yeah, correct," Bachman said.

"Now, was that an intentional way to spur some type of conversation, a technique, or you just forgot?" Maline asked.

"Listening to the interview, it was probably my error on the two timeframes," Bachman said.

Maline displayed on the courtroom's overhead monitors two photos of the red strap that was extracted from the grave in which Joseph McStay Sr. and Joseph McStay, Jr. were buried.

Bachman essentially identified the strap as what he had seen during the excavation of the graves in November 2013. "It looks consistent with the tie strap that was wrapped around Mr. McStay's body," Bachman said.

Showing variant photos of the strap, what have been designated during the trial as exhibits 341 and 342, Maline focused on the unique black stitching the strap featured.

Maline then had Bachman acknowledge that among his investigative functions was to retrieve the evidence compiled by the San Diego Sheriff's Department during its investigation of the case in 2010 when that agency was looking into the family's disappearance. Maline then displayed on the courtroom's viewing monitors a photograph taken of the inside of the McStay family's green Dodge pickup truck. "Do you notice what's behind the driver's seat?" Maline asked.

"It looks like an orange tie-down," Bachman said.

"Does it look similar to the tie-down that we saw in exhibit 341 and 342?" Maline asked.

"It looks similar," Bachman said.

"Was that something your homicide detail discussed, that the tie-down found in the grave could have come from the green Dodge truck?" Maline asked.

"I was not involved in the processing of the truck," Bachman said. "I don't know if I necessarily read - I think it was

could go to a variety of different construction workers' trucks or different people who go to, I'm sure, Harbor Freight and Home Depot, and find similar tie-downs. I can't say that it wasn't discussed."

Maline then had a photo featuring a passenger side view of the McStay family's Dodge pick-up displayed on the courtroom's display monitors.

"This particular Dodge truck does not have running lights underneath the headlights, correct?" Maline asked.

"Correct," Bachman acknowledged.

"And this truck has a rear light where the rear portion of the bed of the truck is, correct?" Maline asked.

"I couldn't tell you, sir," Bachman said.

The nature and appearance of the headlights and the running lights on the Dodge truck as well as the positioning of the taillights and their distance from the ground were of importance because those features on the Dodge are a rough match, at least, to the vehicle seen on the Mitchley security video. Conversely, Merritt's truck featured running lights that were located below and distinct from the headlights, and it had taillights that were at a height of 60 inches, well above what appears to be a taillight on the vehicle seen in the Mitchley video. In his question to Bachman, Maline was angling at illustrating for the jury that the McStay family's Dodge truck was a potential match to the vehicle seen on the Mitchley security video, while Merritt's truck was not, which controverts a significant element of the homicide investigators' conclusion and the prosecution's theory placing Merritt's truck, and thus Merritt, at the McStay home on the night the prosecution contends the murders took place.

"Were you involved or did you review the process of the green Dodge truck?" Maline asked.

"I was not involved in the processing of the truck," Bachman said. "I don't know if I necessarily read - I think it was

Detective [Armando] Avila who did the processing of the truck."

"Well, there was actually two processings of the truck," Maline said. "There was one in May of 2014 by Detective Avila, correct?"

"I don't know exactly when it was conducted, but I believe he did the initial one," Bachman said.

"There was another one conducted by Sergeant [Ryan] Smith," Maline said.

"Likely," Bachman said.

"Do you know how long those tie-downs were in the Dodge truck?" Maline asked.

"No, I don't," Bachman said.

"Did you ever use a FARO scan to measure the Dodge truck?" Maline asked.

A FARO scan is a three dimensional imaging of an object. A FARO scan was done on Merritt's truck in an effort to match it to the images on the Mitchley video.

"I don't believe that I did," Bachman said. "I don't recall doing one. I'm not so sure Sergeant Smith didn't."

"Do you know if one was done at all by anyone?" Maline asked.

"Offhand, I don't know, sir," Bachman said.

"Do you know if any work was done to compare the Dodge truck to vehicle seen on the Mitchley video?" Maline asked.

"I personally did not," Bachman said.

"Were you involved in any discussions wherein your homicide detail talked about comparing the Dodge truck to the Mitchley video?" Maline asked.

"I think we probably would have talked about it, but I don't believe that it seemed similar to it," Bachman said.

"Do you know what side the muffler is on the Dodge truck?" Maline asked.

"Looking at the picture right here, it's on the passenger side," Bachman said.

The vehicle on the Mitchley video featured a muffler on the passenger side.

"Do you know wheth-

er the wheelbase was, or what the wheel width was, of the two front tires?" Maline asked.

"I don't," Bachman said.

"And the rear tires, as well?" Maline asked.

"I don't, no," Bachman said.

"Is that something you would have discussed with your homicide detail?" Maline asked.

"I imagine if we processed it twice, the measurement would have been taken," Bachman said. "Detective Avila, if he processed it the first time likely would have taken photographs and measurements, and if it was processed a second time by Sergeant Smith, we would have all that, all the measurements, all that might indicate."

In fact, the Dodge truck's wheel width was 76 inches, which matched the width of a set of tracks leading to one of the McStay family graves in the desert.

"Did you review the items that were recovered from the Dodge truck, either from [the] San Diego Sheriff's Department] or when Sergeant Smith or Detective Avila processed it?" Maline asked.

"Did I review them?" Bachman sought clarification.

"Yes," Maline said.

"Maybe at the time of [the] incident," Bachman said.

Maline asked Bachman about what appeared to be an alternate light source capable of shedding ultraviolet light seen in a photograph of a countertop in the McStay home taken on February 19, 2010 during the San Diego County Sheriff's Department's serving of a search warrant at the home.

Maline asked if the homicide detail had discussed the alternate light source. Bachman said that it might have discussed but he did not remember.

When Maline asked if he remembered there being any significance attached to the item by the investigation team, Bachman responded, "I didn't prepare a supplemental report on that."

# California Style Print Splash

By Grace Bernal



It's all about summer prints targeting modern fashion and style. Prints are everywhere. Let's start with maxi dresses and the colorful splashy dresses which echo street

and earth art. There are also two tone colored tops which create a contemporary abstract. But nothing beats floral patterns and the dresses that echo the gardens which are blooming gorgeously today. There's a lot of modernism to fashion but flowers never change.



ion. As summer comes along everything starts turning in a new direction. Prints are splashing as Memorial weekend is



"Fashion is a mirror reflecting a culture." Bill Cunningham



They stay and move with the changes. You can see skirts, tops, and dresses from different angles but the prints are adding a different concept to fashion.



coming up so stay tune for heated looks.



As always, if there's anything you need, I'd love to hear from you: Greygris@aol.com or visit my page I Love Your Style on Facebook Copyright Grace Bernal all rights reserved

## Upland Lets Vagnozzi Go from page 22

misimpressions and misinterpretations engendered by the language Goldberg had used in his letter to the California Department of Fair Employment and Housing.

The inference that some drew to the effect that she is claiming she is being ostracized because of her sexual orientation, her manner of dress or the church she attends, she said, "is incorrect information. Perhaps he [Goldberg] confused me with another client. I am not homosexual and do not actively have any sign of cancer though do receive treatment from an oncologist. I attend a Catholic church. I have not been terminated at this time but have had numerous closed ses-

sion 'evaluations.'" She said she had only recently retained Goldberg and said there might have been some "miscommunication."

Whatever damage control her statements to the *Sentinel* represented along with any other efforts she might have made to ameliorate the members of the city council were insufficient to stave off the shellacking she took when the council met early on Monday evening.

Despite the best efforts of Mayor Stone, who in November was one of the key votes to install Vagnozzi as city manager at least through December 31, 2021, to convince Velto and Felix to stay the course with Vagnozzi, upon coming out of Monday night's closed session, City Attorney Jim Markman reported the council voted 4-1 to dismiss Vagnozzi,

officially as of June 13, just one month shy of the four-year anniversary of her July 2015 hiring by Upland. Vagnozzi would not be permitted to remain at City Hall for the next month, however, and was placed on leave, as her departure from City Hall was considered to be immediate, in accordance with what is routinely done in such partings. She was locked out of her office at once, and her access codes to the city's information system were disabled.

A reliable source reported to the *Sentinel* that when it became clear to Stone that Velto was not willing to keep the coalition in support of Vagnozzi together, the mayor had a few choice words for the appointed councilman.

Acutely conscious of the issues raised in Vagnozzi's complaint to the California Department

of Fair Employment and Housing, the council elevated Public Works Director/City Engineer Rosemary Hoerning, a woman over the age of 40, to the post of interim city manager to take over from Vagnozzi.

Yesterday, May 16, Hoerning told the *Sentinel*, she could not offer any insight on the events that led to Vagnozzi's departure. "I was not privy to what went on during the closed session," she said.

As to the possible legal challenge Vagnozzi's forced departure might subject the city to, Hoerning said, "I think the council was very careful in the action it took. Her evaluation had been ongoing for a while."

Vagnozzi's personal circumstance may not be as dire as is normally the case for someone who has just been terminated. The *Sentinel* contacted

La Verne City Manager Robert Russi, who in November indicated his support for Vagnozzi's hiring as Upland city manager, and who said at that time he would welcome her back to La Verne if Upland elected not to make use of her talent.

"I have been in contact with Jeannette," Russi told the *Sentinel*. "While

that position is currently filled, in the event that or another similar position becomes available I will be reaching out to her."

To the *Sentinel's* requests for her reaction to the council's action, Vagnozzi offered no comment.

-Mark Gutglueck

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