

JENNIFER B. CAMPBELL, SBN 023607
Deputy County Attorney

Attorneys for STATE OF ARIZONA

PRESCOTT JUSTICE COURT

IN AND FOR THE COUNTY OF YAVAPAI, STATE OF ARIZONA

STATE OF ARIZONA,

Plaintiff,

vs.

HOWARD KEITH HENSON,

Defendant.

No. 200604957J

**RESPONSE IN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS
AND REQUEST FOR A CONTINUANCE**

(Oral Argument Requested)

The State of Arizona, by and through the Yavapai County Attorney Shelia Polk and her Deputy undersigned, hereby submit this response in opposition to Defendant's Motion to Dismiss and Motion to Continue. On April 10, 2007 the Governor of the State of Arizona, Janet Napolitano, issued a Governor's Warrant On Extradition pursuant to Arizona Revised Statute 13-3847. See **Exhibit 1**. Upon issuance, this warrant provides prima fascia evidence that the Defendant Howard Keith Henson is not only the person identified in the warrant, but he is also a fugitive from justice as set forth therein. *Id.*, see also *State v. Riccardi*, 68 Ariz. 180, 203 P.2d 627 (1949).

The Defendant has not produced any evidence to refute this presumption but instead simply offers contradictory statements and points to pieces of information taken out of context of the entire record. The Defendant has not presented any evidence and/or legal authority in support of his request for this Court to dismiss the instant

Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

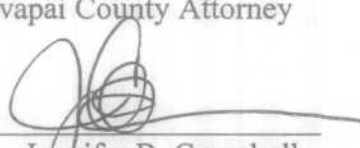
Phone: (928) 771-3344 Facsimile: (928) 771-3110

1 action. Impliedly, this motion is simply another attempt by the Defendant in his long
2 quest to avoid the justice system in the State of California. Accordingly, the Court
3 should summarily deny any and all relief requested therein.

4 Additionally, the Defendant requested, in the alternative, a continuance for a
5 period of 30 days "until such time as a formal extradition request or extradition warrant
6 has been produced." See Defendant's Motion. Attached to the instant motion the State
7 provides copies of both the formal extradition request from California as well as the
8 Arizona Governor's Warrant thereby rendering the requested delay moot. Accordingly,
9 the Defendant Motion should be denied and the hearing on May 8, 2007 should be
10 allowed to move forward as scheduled.

11 Respectfully submitted this 1st day of May, 2007.

12
13
14 SHEILA SULLIVAN POLK
Yavapai County Attorney

15
16 By: 
17 Jennifer B. Campbell
Deputy County Attorney

18 Copy Hand-delivered on this the
19 1st day of May, 2007:

20 Prescott Justice Court
21 Clerk of the Court

22 Copy delivered via U.S. Mail this
23 1st day of May, 2007 to:

24 Brian Russo
111 W. Monroe St. Ste. 1212
Phoenix, AZ 85003

25 Attorney for Defendant

26 By Sydney Judd



STATE OF ARIZONA

JANET NAPOLITANO
GOVERNOR

OFFICE OF THE GOVERNOR
1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

MAIN PHONE: 602-542-4331
FACSIMILE: 602-542-7601

April 12, 2007

Honorable Steve Waugh
Yavapai County Sheriff
Attn: Carol File, Warrants Division
255 East Gurley Street
Prescott, AZ 86301

Re: Extradition of KEITH HENSON aka HOWARD KEITH HENSON

Dear Sheriff Waugh:

I am enclosing Governor Janet Napolitano's extradition warrant, and related papers in the case of the above-named subject. Pursuant to A.R.S. § 13-3850, you must execute this extradition warrant immediately. After the warrant has been served, the subject must be taken forthwith before a judge of a court of record in this state who shall advise the subject of his rights.

When all statutory requirements have been complied with and the subject is ready to return to the demanding state, please notify the following: **Yolanda Murillo, Extradition Section, Riverside County Sheriff's Office, P.O. Box 512, Riverside, California 92502, (951) 955-5613.**

If you need further information regarding this matter, please do not hesitate to contact me. Thank you for your cooperation and assistance.

Sincerely,


Pam Ramsey
Extradition Officer
(602) 542-4331

Attachments

c: Yolanda Murillo
Janielle Desomer



STATE OF ARIZONA

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GOVERNOR

OFFICE OF THE GOVERNOR
1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

MAIN PHONE: 602-542-4331
FACSIMILE: 602-542-7601

GOVERNOR'S WARRANT ON EXTRADITION

To: Honorable Steve Waugh, Yavapai County Sheriff, State of Arizona.

Whereas, demand has been made upon the Governor of the State of Arizona by the executive authority of the **State of CALIFORNIA** for the delivery of **KEITH HENSON aka HOWARD KEITH HENSON** now alleged to be within the jurisdiction of this State from the said **State of CALIFORNIA** as a fugitive is defined by the Constitution and Laws of the United States.

And Whereas, such demand is accompanied by a copy of application for requisition, together with supporting papers, who stands convicted of the crime of **Using Threats of Force to Interfere with Another's Exercise of Civil Rights and Thereafter Failed to Appear for Sentencing**, and the proper certifications according to the laws of the United States charging the said fugitive with committing the offense above described, as crimes, under the laws of said **State of CALIFORNIA** and that the accompanying papers are certified to be authentic by the **State of CALIFORNIA**. That it appears that the said fugitive is now in the custody of **Honorable Steve Waugh, Yavapai County Sheriff**, and that the said person is the identical person named in the request for requisition, to wit: **KEITH HENSON aka HOWARD KEITH HENSON** and it appears that he ought to be surrendered.

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, do hereby direct and command that laying aside all manner of excuse you immediately take into your custody under this warrant, the said fugitive and that after having complied with §13-3850, Arizona Revised Statutes, 1985, if the said fugitive shall not be legally released from the custody by order of the Court, that you deliver the body of said to **Sheriff Bob Doyle, Riverside County Sheriff's Office, Riverside, California**, and/or designated deputy as agents of the **State of CALIFORNIA** together with this warrant, and that this warrant shall be the authority of the said **Sheriff Bob Doyle**, and/or designated deputy as agents to forthwith take and transport the said fugitive to the line of this State, at his/her own expense, and I do hereby require all peace officers to whom this warrant may be shown to afford the said **Sheriff Bob Doyle**, and/or designated deputy as agents all needful assistance in the execution hereof, at the expense of the said **Sheriff Bob Doyle**.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed this 10th day of April, 2007.



Janet Napolitano
Janet Napolitano
Governor of the State of Arizona

ATTEST:

Janice K. Brewer
Janice K. Brewer
Secretary of State



STATE OF ARIZONA

JANET NAPOLITANO
GOVERNOR

OFFICE OF THE GOVERNOR
1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

MAIN PHONE: 602-542-4331
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And Whereas, such demand is accompanied by a copy of application for requisition, together with supporting papers, who stands convicted of the crime of **Using Threats of Force to Interfere with Another's Exercise of Civil Rights and Thereafter Failed to Appear for Sentencing**, and the proper certifications according to the laws of the United States charging the said fugitive with committing the offense above described, as crimes, under the laws of said **State of CALIFORNIA** and that the accompanying papers are certified to be authentic by the **State of CALIFORNIA**. That it appears that the said fugitive is now in the custody of **Honorable Steve Waugh, Yavapai County Sheriff**, and that the said person is the identical person named in the request for requisition, to wit: **KEITH HENSON aka HOWARD KEITH HENSON** and it appears that he ought to be surrendered.

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, do hereby direct and command that laying aside all manner of excuse you immediately take into your custody under this warrant, the said fugitive and that after having complied with §13-3850, Arizona Revised Statutes, 1985, if the said fugitive shall not be legally released from the custody by order of the Court, that you deliver the body of said to **Sheriff Bob Doyle, Riverside County Sheriff's Office, Riverside, California**, and/or designated deputy as agents of the **State of CALIFORNIA** together with this warrant, and that this warrant shall be the authority of the said **Sheriff Bob Doyle**, and/or designated deputy as agents to forthwith take and transport the said fugitive to the line of this State, at his/her own expense, and I do hereby require all peace officers to whom this warrant may be shown to afford the said **Sheriff Bob Doyle**, and/or designated deputy as agents all needful assistance in the execution hereof, at the expense of the said **Sheriff Bob Doyle**.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed this 10th day of April, 2007.



Janet Napolitano
Janet Napolitano
Governor of the State of Arizona

ATTEST:

Janice K. Brewer
Janice K. Brewer
Secretary of State



STATE OF ARIZONA

OFFICE OF THE GOVERNOR

1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

JANET NAPOLITANO
GOVERNOR

MAIN PHONE: 602-542-4331
FACSIMILE: 602-542-7601

April 10, 2007

The Honorable Janice K. Brewer
Secretary of State
State Capitol
Phoenix, Arizona 85007

Re: Extradition of KEITH HENSON aka HOWARD KEITH HENSON

Dear Secretary Brewer:

The Secretary of State of Arizona is respectfully requested to authenticate papers authorizing **Sheriff Bob Doyle, Riverside County Sheriff's Office, Riverside, California**, and/or lawfully appointed agent to receive into custody from the authorities of **Yavapai County**, the above referenced subject who stands convicted of the crime of **Using Threats of Force to Interfere with Another's Exercise of Civil Rights and Thereafter Failed to Appear for Sentencing**.

The necessary documents accompany this request.

Yours very truly,

A handwritten signature in cursive script that reads "Janet Napolitano".

Janet Napolitano
Governor

JN:pr

Attachments



GOVERNOR ARNOLD SCHWARZENEGGER

AGENT'S APPOINTMENT

I, **Arnold Schwarzenegger**, Governor of California, do hereby appoint **Sheriff Bob Doyle** and/or designated agent(s) of **Riverside County** to receive **Keith Henson aka Howard Keith Henson** from the appropriate authorities of the State of **Arizona** and convey the fugitive to the State of California, here to be dealt with according to law.

IN WITNESS WHEREOF, I have hereunto signed my name and caused the Great Seal of the State to be affixed at Sacramento, California this 29th day of March, 2007.

A handwritten signature of Arnold Schwarzenegger in black ink, written over a horizontal line.

Governor

A handwritten signature of Jerry Bowen in black ink, written over a horizontal line.

Secretary of State

A handwritten signature of C. A. Bassari in black ink, written over a horizontal line.

Deputy





STATE OF ARIZONA

OFFICE OF THE GOVERNOR

1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

JANET NAPOLITANO
GOVERNOR

MAIN PHONE: 602-542-4331

FACSIMILE: 602-542-7601

GOVERNOR'S WARRANT ON EXTRADITION

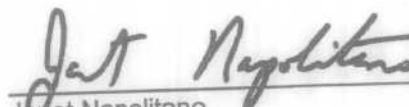
To: Honorable Steve Waugh, Yavapai County Sheriff, State of Arizona.

Whereas, demand has been made upon the Governor of the State of Arizona by the executive authority of the **State of CALIFORNIA** for the delivery of **KEITH HENSON aka HOWARD KEITH HENSON** now alleged to be within the jurisdiction of this State from the said **State of CALIFORNIA** as a fugitive is defined by the Constitution and Laws of the United States.

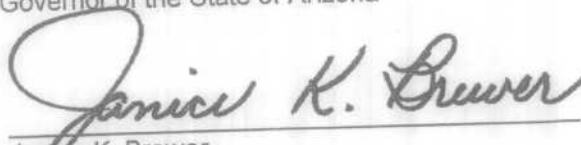
And Whereas, such demand is accompanied by a copy of application for requisition, together with supporting papers, who stands convicted of the crime of **Using Threats of Force to Interfere with Another's Exercise of Civil Rights and Thereafter Failed to Appear for Sentencing**, and the proper certifications according to the laws of the United States charging the said fugitive with committing the offense above described, as crimes, under the laws of said **State of CALIFORNIA** and that the accompanying papers are certified to be authentic by the **State of CALIFORNIA**. That it appears that the said fugitive is now in the custody of **Honorable Steve Waugh, Yavapai County Sheriff**, and that the said person is the identical person named in the request for requisition, to wit: **KEITH HENSON aka HOWARD KEITH HENSON** and it appears that he ought to be surrendered.

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, do hereby direct and command that laying aside all manner of excuse you immediately take into your custody under this warrant, the said fugitive and that after having complied with §13-3850, Arizona Revised Statutes, 1985, if the said fugitive shall not be legally released from the custody by order of the Court, that you deliver the body of said to **Sheriff Bob Doyle, Riverside County Sheriff's Office, Riverside, California**, and/or designated deputy as agents of the **State of CALIFORNIA** together with this warrant, and that this warrant shall be the authority of the said **Sheriff Bob Doyle**, and/or designated deputy as agents to forthwith take and transport the said fugitive to the line of this State, at his/her own expense, and I do hereby require all peace officers to whom this warrant may be shown to afford the said **Sheriff Bob Doyle**, and/or designated deputy as agents all needful assistance in the execution hereof, at the expense of the said **Sheriff Bob Doyle**.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed this 10th day of April, 2007.


Janet Napolitano
Governor of the State of Arizona

ATTEST:


Janice K. Brewer
Secretary of State





GOVERNOR ARNOLD SCHWARZENEGGER

GOVERNOR'S REQUISITION

TO HER EXCELLENCY THE GOVERNOR OF THE STATE OF ARIZONA:

WHEREAS, it appears by the annexed application for requisition, copies of the **Court Minutes, Bench Warrant**, and supporting papers, which I certify are authentic in accordance with the laws of the State of California, that **Keith Henson aka Howard Keith Henson** was convicted under the laws of this state of **Using Threats of Force to Interfere with Another's Exercise of Civil Rights**, thereafter **failed to appear for sentencing**, fled from the justice of this state, and is now to be found in the State of **Arizona**; and

NOW, THEREFORE, pursuant to the provisions of the Constitution and the laws of the State of California and the State of **Arizona**, I do hereby respectfully demand that the above-named fugitive from justice be arrested, secured, and delivered to **Sheriff Bob Doyle and/or designated agent(s) of Riverside County** authorized to receive, convey, and transport the fugitive to this state, here to be dealt with according to law.

IN WITNESS WHEREOF, I have hereunto signed my name and caused the Great Seal of the State to be affixed at Sacramento, California, this 29th day of March, 2007.

A handwritten signature of Arnold Schwarzenegger in black ink, written over a horizontal line.

Governor

By the Governor



A handwritten signature of Jerry Bowen in black ink, written over a horizontal line.

Secretary of State

A handwritten signature of C. A. Baccari in black ink, written over a horizontal line.

Deputy



SECRETARY OF STATE

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That, **INGA E. MCELYEA**, whose name has been subscribed to the Certificate among the papers annexed to this requisition, is and was at the time of such subscription the duly qualified and acting County Clerk of the California County of **RIVERSIDE** and ex officio Clerk of the Superior Court of the State of California, in and for said County (or City and County);

That, **G. TRANBARGER**, whose name has likewise been subscribed to said Certificate, is and was at the time of such subscription a duly elected, qualified and acting Judge of said Superior Court.

I further certify that the Oaths of Office required of said Clerk and Judge are on file in this office, that the signatures appearing on the aforementioned Certificate are believed to be the genuine or manual signatures of said Clerk and Judge, to whose acts full faith and credit are and ought to be given, and that the seal affixed or impressed thereon is the official seal of the Superior Court aforesaid:

IN WITNESS WHEREOF, I execute this certificate and
affix the Great Seal of the State of California this
29TH day of **MARCH, 2007**

DEBRA BOWEN
Secretary of State



By: _____

C. A. Daccari
Deputy Secretary of State

APPROVED AS TO FORM

Attorney General of the
State of California

By

Deputy Attorney General

Date:

3-28-07

Name of fugitive: Keith Henson

State of refuge: Arizona

APPLICATION FOR REQUISITION

To the Governor of the State of California:

I HAVE THE HONOR HEREWITH TO MAKE APPLICATION for a requisition upon the Governor of the State of Arizona for the arrest and rendition of Keith Henson, who was charged in this county with the crimes of CRIMINAL THREATS, in violation of section 422 of the Penal Code, and USING THREATS OF FORCE TO INTERFERE WITH ANOTHER'S EXERCISE OF CIVIL RIGHTS, in violation of section 422.6 of the Penal Code. He was convicted by a jury on April 24, 2001, for the crime of USING THREATS OF FORCE TO INTERFERE WITH ANOTHER'S EXERCISE OF CIVIL RIGHTS, in violation of section 422.6 of the Penal Code, thereafter failed to appear for sentencing and who, as appears from the accompanying proof, and particularly the annexed affidavit of Jeanne M. Roy (a responsible person and entitled to credit) is a fugitive from the justice of this State, and has taken refuge in the State of Arizona.

• I HEREBY CERTIFY:

- a. That the full name of the person for whom requisition is asked is Keith Henson.
- b. That I have carefully examined the case, and verily believe that the facts stated in the accompanying proof are true and that the fugitive is guilty of the crime charged; that the ends of public justice require that the fugitive be brought back to this State at the public expense; that I have as I believe sufficient evidence to secure his conviction; that the charge was preferred and this application is made in good faith and not for the purpose of the collection of a debt or for any private purpose, and that if the fugitive is returned to this State the criminal proceedings will not be used for any of such purposes but that it is my intention to diligently prosecute said fugitive for the crime with which he is charged.
- c. That no other application has been made for a requisition for this fugitive growing out of the transaction from which the charge herein originated.
- d. That the fugitive is properly convicted in due form and thereafter failed to appear for sentencing, in accordance with the laws of this State with the crimes of ~~CRIMINAL THREATS~~ and USING THREATS OF FORCE TO INTERFERE WITH ANOTHER'S EXERCISE OF CIVIL RIGHTS, a misdemeanor, committed in the County of Riverside, State of California; that to the best of my belief the fugitive was personally and physically present in this State at the time of the commission of said crime, and to avoid arrest and prosecution, fled from the justice of this State; that the definition of the aforesaid crime of which the fugitive is charged, and the punishment therefor, as prescribed by the laws of this State, are as follows: **SEE EXHIBIT "A", ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.**

FACTUAL SUMMARY:

That on or about July 19, 2000, law enforcement was called to Golden Era Productions in San Jacinto, Riverside County, California regarding Keith Henson. Golden Era Productions is also known as the Church of Scientology. Keith Henson had been outside of their church on a daily basis since May 26, 2000. He would picket and disrupt the daily work of the employees of the church, as well as other members and guests. The church was also aware of statements that Keith Henson had made to the effect that he would have them bombed and the buildings exploded. Keith Henson, by his own admission, has experience in explosives. The church employees became so fearful that security was hired to watch Keith Henson while he was near the property. Due to the fear that Keith Henson would physically harm them, employees and others had to change their ingress and egress to and from the buildings.

On April 24, 2001, Keith Henson was convicted by jury of a violation of California Penal Code section 422.6, using threats of force to interfere with another's exercise of civil rights. Sentencing for Keith Henson was set for May 16, 2001. Keith Henson did not appear and a warrant was issued for his arrest.

Physical Description of Defendant:

Physical description of Keith Henson: DOB: 07/12/1942, 5'10", brown hair, hazel eyes.

e. That the fugitive is now under arrest in the State of Arizona and the proceedings upon which such arrest is based and the grounds for my belief relative thereto are as follows:
N/A

f. That in support of this application, the following papers, all of which are authentic and properly authenticated in accordance with the laws of this State are hereby annexed:

Affidavit of Deputy District Attorney Jeanne M. Roy, included herein as our charging document; identifying photograph of defendant;

Certified copy of Original Complaint and the reverse thereof certifying defendant to superior court for sentence;

Copy of minute Orders on file in superior court of all proceedings up to issuance of Bench Warrant with Exemplification Certificate of Records by County Clerk attach thereto;


and certified copy of Bench Warrant;

That I have carefully examined said papers, that all papers purporting to be copies are true and correct copies, together with all endorsements and filing marks to be found on the originals thereof; that the annexed papers include all the proofs upon which the complaint against the fugitive is based, and that the duplicate copy of the petition submitted herewith, together with

all papers thereto attached and all endorsements therein and certifications thereof are exact counterparts of this petition and attachments.

I nominate and propose the name of Sheriff Bob Doyle and/or Agents of the Riverside Sheriff's Office for designation as agent of the State to return the fugitive and represent that he is a proper person for such designation; that he is a public officer, to wit: Commander of the Riverside Sheriff's Office, that he has no private interest in the arrest of the fugitive other than in the discharge of his duty as such officer, and that he has not been supplied with private funds for the purpose of defraying his expenses, or otherwise in connection with the extradition of the fugitive.

Respectfully submitted,



WILLIAM E. MITCHELL
Assistant District Attorney
County of Riverside,
State of California

Dated at Riverside, California,
this 23rd day of March, 2007.

STATE OF CALIFORNIA)

)

ss

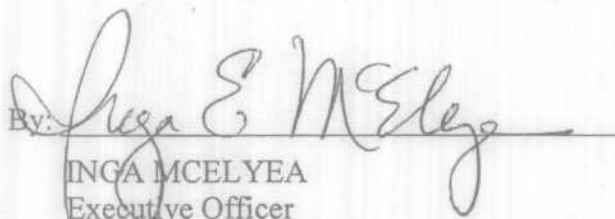
COUNTY OF RIVERSIDE)

WILLIAM E. MITCHELL, being first duly sworn, deposes and says: That he is the Assistant District Attorney of the County of Riverside, State of California; that he has read the foregoing application for requisition and knows the contents thereof; that he is informed and believes and on such information and belief alleges, that the statements made therein are true.



WILLIAM E. MITCHELL
Assistant District Attorney

Subscribed and sworn to before me this
23rd day of March, 2007

By: 

INGA MCELVEA
Executive Officer
Superior Court of California
County of Riverside

JMR:skh
damion(Application Extradition)

TITLE 11.5 CRIMINAL THREATS

§422. Enacted 1977. Repealed 1987 ch. 828.

Another §422 follows.

§422. Threats to Commit Crime Resulting in Death or Great Bodily Injury.

Any person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, with the specific intent that the statement, made verbally, in writing, or by means of an electronic communication device, is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, shall be punished by imprisonment in the county jail not to exceed one year, or by imprisonment in the state prison.

For the purposes of this section, "immediate family" means any spouse, whether by marriage or not, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who regularly resides in the household, or who, within the prior six months, regularly resided in the household.

"Electronic communication device" includes, but is not limited to, telephones, cellular telephones, computers, video recorders, fax machines, or pagers. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code. **Leg.H.** 1988 ch. 1256, effective September 23, 1988, 1989 ch. 1135, 1998 ch. 825 §3.

Cross-References

"Willfully" defined. Penal Code §7.

§422.5. Enacted 1977. Repealed 1987 ch. 828.

TITLE 11.6 CIVIL RIGHTS

Use of force, threats, or destruction of property to interfere with another's exercise of civil rights—Punishment. §422.6.

Commission of crime for purpose of interfering with another's exercise of civil rights—Punishment. §422.7.

Commission of hate crime—Additional term. §422.75.

Definition of gender for crimes relating to interference with civil rights and hate crimes. §422.76.

Prosecution under other laws. §422.8.

Violation of civil order protecting exercise of civil rights—Punishment. §422.9.

Condition of probation—Program for hate crime offenders. §422.95.

§422.6. Use of Force, Threats, or Destruction of Property to Interfere With Another's Exercise of Civil Rights—Punishment.

(a) No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she perceives that the other person has one or more of those characteristics.

(b) No person, whether or not acting under color of law, shall knowingly deface, damage, or destroy the real or personal property of any other person for the purpose of intimidating or interfering with the free exercise or enjoyment of any right or privilege secured to the other person by the Constitution or laws of this state or by the Constitution or laws of the United States, because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she perceives that the other person has one or more of those characteristics.

(c) Any person convicted of violating subdivision (a) or (b) shall be punished by imprisonment in a county jail not to exceed one year, or by a fine not to exceed five thousand dollars (\$5,000), or by both that imprisonment and fine, and the court shall order the defendant to perform a minimum of community service, not to exceed 400 hours, to be performed over a period not to exceed 350 days, during a time other than his or her hours of employment or school attendance. However, no person shall be convicted of violating subdivision (a) based upon speech alone, except upon a showing that the speech itself threatened violence against a specific person or group of persons and that the defendant had the apparent ability to carry out the threat. **Leg.H.** 1987 ch. 1277, 1991 chs. 607, 1184 §1.5, 1994 ch. 407, 1998 ch. 850.

Cross-References

Enhancement for hate crimes. Penal Code §422.75.

Enhancement of crimes for purpose of violating civil rights. Penal Code §422.7.

"Knowingly" defined. Penal Code §7.

"Personal property" defined. Penal Code §7.

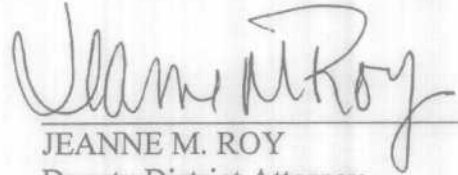
Program as condition of probation. Penal Code §422.95.

Prosecution under other sections not prohibited. Penal Code §422.8.


1 Sentencing for Keith Henson was set for May 16, 2001. Keith Henson did not appear and a
2 warrant was issued for his arrest.

3 A copy of a photograph of Keith Henson is attached to the Affidavit of Jeanne M. Roy,
4 marked Exhibit "B" and by reference made a part hereof.

5 Affiant further states that the return of Keith Henson to this jurisdiction is not sought for
6 any private benefit or gain.

7
8 
9 JEANNE M. ROY
10 Deputy District Attorney

11 Subscribed and sworn to before me on March 8, 2007.

12 
13
14 JUDGE OF THE SUPERIOR COURT OF CALIFORNIA
15 COUNTY OF RIVERSIDE

16
17 JMR:skh
18 EXTRA207



CALIFORNIA DEPARTMENT OF MOTOR VEHICLES IMAGE

HOWARD KEITH HENSON

C5995974

EXPIRES: 07/12/2002

CLASS: C

SEX: M

HAIR: BRN

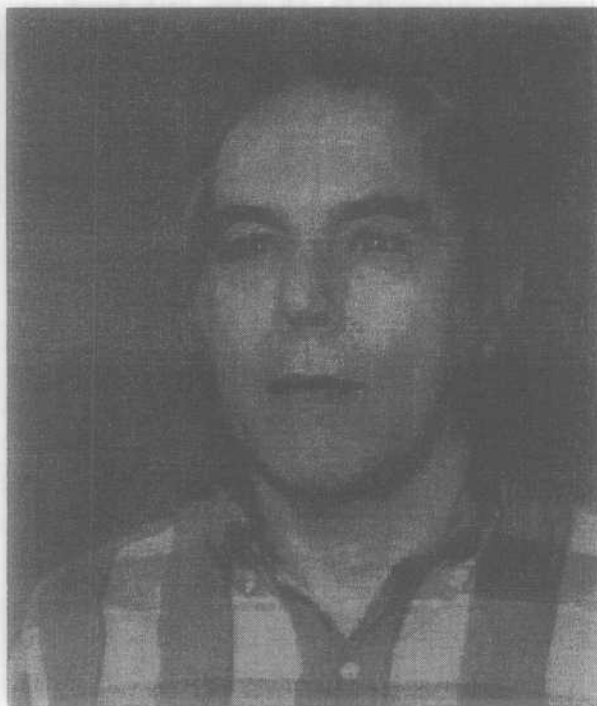
EYES: HZL

HEIGHT: 510

WEIGHT: 200

DATE OF BIRTH: 07/12/42

ADDRESS: PO BX 60012, PALO ALTO, CA 94306

PHOTO DATE:
N/APHOTO OFFICE:
N/AAPPLICATION DATE:
N/AAPPLICATION OFFICE:
N/AISSUE DATE:
05/15/1997ISSUE OFFICE:
235RESTRICTIONS:
0

SIGNATURE:

FINGERPRINT:



This photograph is a true copy of the photograph that is contained on the Department of Motor Vehicles photo database and delivered over the Department of Justice communications network.

Date: _____ /s/ _____

THE DOCUMENT TO WHICH THIS CERTIFICATE
IS ATTACHED IS A FULL, TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE AND OF
RECORD IN MY OFFICE.

Bob Doyle, SHERIFF
RIVERSIDE COUNTY

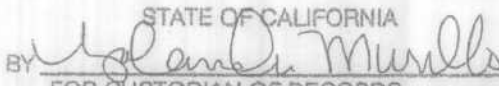
STATE OF CALIFORNIA
BY 
FOR CUSTODIAN OF RECORDS

EXHIBIT B

N2310

EXEMPLIFICATION CERTIFICATE

The documents to which this certificate is attached are full, true and correct copies of the originals on file and of record in my office. All of which we have caused by these presents to be exemplified, and the seal of our Superior Court of California, County of Riverside to be hereunto affixed.



IN WITNESS WHEREOF, I have hereto set my hand
and affixed the Seal of the said Court,

this 13 day of MARCH, 2007

Inga E. McElyea
Inga E. McElyea, Clerk
Superior Court of California, County of Riverside

I, G. Trenbarger, Judge of the Superior
Court of the State of California, in and for the County of Riverside, do hereby certify that
INGA E. MCELYEA whose name is subscribed to the preceding exemplification, is the
Clerk of the said Superior Court of the State of California, in and for the County of
Riverside, and that full faith and credit are due to her official acts. I further certify, that the
seal affixed to the exemplification is the seal of our said Superior Court and that the
attestation thereof is in due form and according to the form of attestation used in this State.

Date MAR 13 2007

G. Trenbarger
Judge of the Superior Court of California
County of Riverside

(Continued)

AGENCY#: DR00201037/RSDD

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
(Hemet)

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 01 2000

Hemo 14371

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

KEITH HENSON
302 College St.
Palo Alto, CA 94306

DOB:07/12/1942

Defendant.

CASE NO.

MISDEMEANOR COMPLAINT

& NOTICE TO APPEAR

APPEARANCE NOTICE

Criminal charges have been filed against you. You are required to appear for arraignment at 7:30 A.M. on September 15, 2000 at:

COUNTY ADMINISTRATIVE CENTER
880 N. STATE STREET
HEMET, CALIFORNIA 92543

The court calendar will list your name and the courtroom to which your case is assigned. Go there, check in, and wait to be arraigned.

**IF YOU FAIL TO APPEAR ON THIS DATE, A WARRANT WILL BE SOUGHT FOR YOUR ARREST.
BRING THIS NOTICE WITH YOU.**

COUNT 1

The undersigned, under penalty of perjury upon information and belief, declares: That the above named defendant(s) KEITH HENSON committed a violation of Penal Code section 422, a Misdemeanor, in that on or about July 1, 2000 through and including September 1, 2000, in the County of Riverside, State of California, he did wilfully and unlawfully, with the specific intent that his statements would be taken as a threat, threaten another person, to wit: BRUCE WAGONER, HILARY DEZOFELL, MICHAEL GILCHRIST, DANA REID, and MURIEL DUFRESNE, to commit a crime which would result in great bodily injury and death, which threat on its face and under the circumstances in which it was made was so unequivocal, unconditional, immediate and specific as to convey to said person a gravity of purpose and an immediate prospect of execution of the threat, and thereby caused said person to reasonably be in sustained fear for their own safety and the safety of members of their immediate family.

(Continued)

Page 2

COUNT 2

That the above named defendant(s) KEITH HENSON committed an violation of Penal Code section 664/422, a Misdemeanor, in that on or about July 1, 2000 through and including September 1, 2000, in the County of Riverside, State of California, he did attempt to wilfully and unlawfully, with the specific intent that his statements would be taken as a threat, threaten another person, to wit: BRUCE WAGONER, HILARY DEZOFELL, MICHAEL GILCHRIST, DANA REID, and MURIEL DUFRESNE, to commit a crime which would result in great bodily injury and death, which threat on its face and under the circumstances in which it was made was so unequivocal, unconditional, immediate and specific as to convey to said person a gravity of purpose and an immediate prospect of execution of the threat, and thereby caused said person to reasonably be in sustained fear for their own safety and the safety of members of their immediate family.

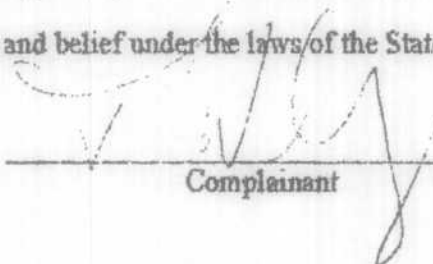
DISCOVERY REQUEST

Pursuant to Penal Code section 1054.5, subdivision (b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code section 1054.3.

I declare under penalty of perjury upon information and belief under the laws of the State of California that the foregoing is true and correct.

Dated: September 1, 2000

TWG:dac


Complainant

CASH BOND

RECOMMENDED \$ _____

GROVER C. TRASK
DISTRICT ATTORNEY

AGENCY#: DR00201037/RSDD

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
(Hemet)

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

KEITH HENSON
DOB:07/12/1942

Defendant.

CASE NO. HEM014371

AMENDED
MISDEMEANOR COMPLAINT

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

OCT 05 2000

COUNT 1

The undersigned, under penalty of perjury upon information and belief, declares: That the above named defendant(s) KEITH HENSON committed a violation of Penal Code section 422, a Misdemeanor, in that on or about July 1, 2000, in the County of Riverside, State of California, he did wilfully and unlawfully, with the specific intent that his statements would be taken as a threat, threaten another person, to wit: BRUCE WAGONER, HILARY DEZOFELL, MICHAEL GILCHRIST, DANA REID, and MURIEL DUFRESNE, to commit a crime which would result in great bodily injury and death, which threat on its face and under the circumstances in which it was made was so unequivocal, unconditional, immediate and specific as to convey to said person a gravity of purpose and an immediate prospect of execution of the threat, and thereby caused said person to reasonably be in sustained fear for their own safety and the safety of members of their immediate family.

COUNT 2

That the above named defendant(s) KEITH HENSON committed an attempt violation of Penal Code section 664/422, a Misdemeanor, in that on or about July 1, 2000 through and including September 1, 2000, in the County of Riverside, State of California, he did attempt to wilfully and unlawfully, with the specific intent that his statements would be taken as a threat, threaten another person, to wit: BRUCE WAGONER, HILARY DEZOFELL, MICHAEL GILCHRIST, DANA REID, and MURIEL DUFRESNE, to commit a crime which would result in great bodily injury and death, which threat on its face and under the circumstances in which it was made was so unequivocal, unconditional, immediate and specific as to convey to said person a gravity of purpose and an immediate prospect of execution of the threat, and thereby caused said person to reasonably be in sustained fear for their own safety and the safety of members of their immediate family.

CASH BOND

RECOMMENDED \$ _____

GROVER C. TRASK
DISTRICT ATTORNEY

Page 2

COUNT 3


That the above named defendant(s) KEITH HENSON committed a violation of Penal Code section 422.6, a Misdemeanor, in that on or about July 1, 2000 through and including September 1, 2000, in the County of Riverside, State of California, he did wilfully and unlawfully by force or threat of force, injure, intimidate, interfere with, oppress, or threaten another person, to wit: BRUCE WAGONER, HILARY DEZOFELL, MICHAEL GILCHRIST, DANA REID, and MURIEL DUFRESNE, in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States because of the other person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she perceives that the other person has one or more of those characteristics.

DISCOVERY REQUEST

Pursuant to Penal Code section 1054.5, subdivision (b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code section 1054.3.

I declare under penalty of perjury upon information and belief under the laws of the State of California that the foregoing is true and correct.

Dated: October 5, 2000
RKS:ab



Complainant

OTSCASPR
3/07/07

Superior Court of California, County of Riverside
CASE PRINT

www.courts.co.riverside.ca.us

RC

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CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE: 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant ..: HENSON, KEITH Defn : 1 of 1

Date Filed : 09/01/00

District Attorney : R.SCHWARZ Continuances: 26
Defense Attorney : PVT-J.HARR Age in Days : 2,364
Custody Status ...: N/A - Bail: Last Trial ..: 08/02/01

Charge Information

Ct			Plea	Status	Sev
001	ARREST 422 PC	CRIMINAL THREATS	None		F
001	FILED 422 PC	TERRORIST THREATS DEATH/GBI	None	Active	M
002	FILED 664/M422 PC	Att/Terrorist Threats Death	None	Active	M
003	FILED 422.6 PC	Intimidate/threaten/opress bec ause of race/religion/color	NG	Convict	M
004	WARRNT 1320(A) PC	Fail to appear on R.O.R	None	Active	M

TTP Status	Fine Amount	Amount Paid	Amount Due	Date To Pay
N/A	\$2,700.00		\$2,700.00	07/20/01

Collection Status
N/A

Warrant Information

Type	Date Issued	Status	Bail Amount	Affidavit Date
Bench	05/16/01	Issued	\$0.00	00/00/00

Case Action Information

Action	Div	Description	Status
6/02/06		Miscellaneous Payment of \$31.00 Received. 060602-1900-V FPC/ 31.00 000	
10/17/05	SWEXH	Hearing Set RE: Status of Exhibits being Retained	Active
	SWEXH	No Minutes	
10/14/04	SWEXH	Review Re: Notice of Destruction of Exhibits	Vacate
	SWEXH	No Minutes	
9/24/04		Filed: REQUEST FOR RELEASE OF DEFENSE EXHIBITS	
	SWEXH	Ex Parte Hearing Re: REQUEST FOR RELEASE OF DEFENSE EXHIBITS	Dispo

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH
DEFENDANT STATUS: Active
ARREST DATE : 7/19/00
Defn : 1 of 1

Courtroom Assistant: L. Johnson
Court has read/considered Exparte correspondence
submitted by DEFENSE re: RELEASE OF EXHIBITS. The
court takes no action.
Court records show no exhibits were admitted into
evidence by defense on Exhibit List filed 4/24/01.
All parties notified.
Bench Warrant Remains Outstanding (BWAR)
MINUTE ORDER OF COURT PROCEEDING

8/25/04 Hearing Set 10/14/2004 at 8:00 re RNOD is
Vacated.

Filed: DISTRICT ATTORNEY'S request to retain
Exhibits

8/10/04 Notice of Destruction of Exhibits sent to all
parties - Filed

Change court of jurisdiction to SW

9/25/02 Miscellaneous Payment of \$6.00 Received.
020926-0228-CS FPC/ 6.00 000

6/12/02 Miscellaneous Payment of \$18.00 Received.
020612-1121-CS FPC/ 18.00 000

5/28/02 Miscellaneous Payment of \$12.00 Received.
020528-1120-CS FPC/ 12.00 000

4/15/02 Filed: Remittitur Appellate Dept ruling appeal
dismissed

2/27/02 Filed: ORDER RE DISMISSAL ON APPEAL

1/08/02 Filed: NOTICE UNDER RULE 12(b)(1)

11/29/01 Filed: ORDER TO SHOW CAUSE RE: DISMISSAL OF APPEAL

10/26/01 Miscellaneous Payment of \$128.00 Received.
011026-1025-CK FPC/ 128.00 000

10/22/01 Filed: NOTICE RE: APPOINTMENT OF COUNSEL ON APPEAL

Filed: ORDER RE HEARING ON APPEAL & BRIEF SCHEDULE

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH
DEFENDANT STATUS: Active
ARREST DATE : 7/19/00
Defn : 1 of 1

10/19/01 Filed: MOTION FOR COUNSEL ON APPEAL
10/16/01 Miscellaneous Payment of \$8.50 Received.
011016-1337-CS FPC/ 8.50 000
10/15/01 Filed: NOTICE OF HEARING ON APPEAL AND FILING
BRIEFS
10/10/01 Case Returned Back from APPEALS
10/04/01 Filed: Record on Appeal Certified to Riverside
Superior Court Appellate Department
9/27/01 Filed: NOTIFICATION OF FILING NOTICE OF APPEAL
TO BE CERTIFIED TO APPELLATE DEPT
NO PROPOSED STATEMENT ON APPEAL FILED - RECORD
TO REP DEF ON APPEAL - NO SUB OF ATTY FILED
RECD PHONE CALL FROM APPELLANT - STATES PRIV ATTY
9/26/01 Miscellaneous Payment of \$6.00 Received.
010927-0404-CS FPC/ 6.00 000
CLERK IN HEMET FILED FAXED APPEAL
8/22/01 COUNSEL
RETD NOTICE OF APPEAL W/PROPER FORM & MOTION FOR C
8/16/01 Notice of Appeal in Superior Court was filed by
DEFENDANT on 08/15/2001 from JUDGEMENT entered on
07/20/2001.
8/15/01 Filed: NOTICE OF APPEAL
Notice of Appeal in Municipal Court filed by
KEITH HENSON on 08/15/2001 from a certain
JUDGMENT entered on 07/20/2001
8/02/01 Miscellaneous Payment of \$12.00 Received.
010802-1563-CS FPC/ 12.00 000

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Superior Court of California, County of Riverside
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CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

7/20/01 H4

Dispo

Motion SENTENCING OF DEFENDANT IN ABSENTIA
Honorable JUDGE ROBERT WALLERSTEIN Presiding.
Courtroom Assistant: P. Richards
Court Reporter: P. CARLUCCI
People Represented By Deputy District Attorney
R.SCHWARZ.
Defendant Represented By PVT-J.HARR.
Defendant is Not Present.
At 10:20, the following proceedings were held:
Motion By THE PEOPLE Regarding SENTENCING
DEFENDANT is called for hearing.
Arguments heard as to sentencing defendant in
absentia.
Per counsel defendant has applied for
refugee/asylum status in Canada.
Mr. Abelson addresses the Court.
Motion Granted.
The following conditions commence upon
defendants return to accept or deny probation.
Defendant is sentenced to serve 365 days
with no early release and no work furlough
in county jail which shall be suspended
on the condition that the defendant be placed
on Summary probation for 3 years.
Defendant would serve 180 days straight time.
As to Count(s) 003 Pay Total Fine of \$2700.00,
include assessments, to the Clerk of Court as
directed by Financial Services.
Defendant to submit to search of person
automobile - residence - garage - storage
areas - personal or leased property with
or without reasonable cause by any law
enforcement or probation officer.
Stay away order remains in place -
Defendant to stay away from Golden Era
Productions - and stay off of road that
Golden Era Productions occupies between
State Street and Sanderson.
Oral Motion By THE PEOPLE regarding ORDERING
RESTITUTION is called for hearing.
Motion Denied.
If defendant does not agree to probation
terms he will serve the 365 days.
Attorney Harr is relieved as counsel of

CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

COURT HAS RECEIVED PROBATION OFFICER'S REPORT.
PEOPLE INDICATE THEY ARE IN AGREEMENT WITH PROB
REPORT.
PEOPLE INDICATES VICTIMS DESIRE TO SPEAK.
VICTIM ELLIOT ABLESON ADDRESSES THE COURT.
COURT NOTES IT HAS REACHED MR. ABLESON'S
CORRESPONDENCES/NOTEBOOK.
ATTORNEY HARR INDICATES HE DOES NOT HAVE A COPY
OF THE PROBATION REPORT
AT 1130 THE COURT TAKES A RECESS SO J HARR CAN
READ THE REPORT
11:50 COURT IN SESSION ALL PARTIES AGAIN PRESENT.
GARY DAVIS INDICATES HE RECEIVED A VOICEMAIL FROM
THE DEFT WHO INDICATED HE WAS GOING TO CANADA AS
HE DID NOT BELIEVE THE MATTER WAS PROCEEDING TODAY
COURT INDICATES SENTENCE SHALL BE SUSPENDED UNTIL
DEFT IS PRESENT.
Additional Complaint Ordered filed. Violation of
1320(A) PC added as Count 4.
1320A PC Complaint Generated.
O.R. Revoked
Defendant fails to appear/fails to comply; Bench
warrant issued; NO BAIL
MINUTE ORDER OF COURT PROCEEDING
MINUTE ORDER OF COURT PROCEEDING

H4 Hearing on Motion Re: FOR RECONSIDERATION OF JNOV Dispo
Honorable ROBERT H. WALLERSTEIN Presiding.
Courtroom Assistant: L. Getz
Court Reporter: M. Fuller.
People Represented By Deputy District Attorney
R.SCHWARZ.
Defendant Represented By PVT-J.HARR.
Defendant is Not Present.
ATTORNEY HARR INDICATES HE IS UNAWARE OF DEFT
WHEREABOUTS.
Motion By DEFT Regarding SUBSTITUTION OF ATTORNEY
is called for hearing.
Motion Denied.
Motion By DEFT Regarding RECONSIDERATION is
called for hearing.
Motion Denied.
COURT DEEMS MOTION INAPPROPRIATE AS FILED - PRO SE
No custody status: WARRANT PENDING
MINUTE ORDER OF COURT PROCEEDING

OTSCASPR
3/07/07

Superior Court of California, County of Riverside
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CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

5/14/01 FILED: PROBATION OFFICER'S REPORT

5/07/01 Motion NOTICE OF MTN FOR RECONSIDERATION OF JNOV
filed.

5/03/01 Motion DEFT'S MTN FOR SUB OF ATTY filed.

4/30/01 Miscellaneous Payment of \$9.50 Received.
010430-0982-CS FPC/ 9.50 000

4/26/01 Filed: VERDICT RE COUNT 3

H4 Jury Trial (Jury Deliberating) Dispo
Honorable ROBERT H. WALLERSTEIN Presiding.
Courtroom Assistant: L. Getz
People Represented By Deputy District Attorney
R.SCHWARZ.
Defendant Represented By PVT-J.HARR.
At 10:16, the following proceedings were held:
Out of the Presence Of the Jury, the following
proceedings were held: JURY DEADLOCKED ON TWO
COUNTS
Court and Counsel Confer regarding: DEADLOCK
At 10:25, the following proceedings were held:
COURT IN SESSION: ALL PARTIES PRESENT.
Members of the Jury and Alternate(s) ARE present
Court Trial Commences.
At 10:27 jurors indicate THEY ARE DEADLOCKED AS
TO COUNTS #1 AND #2
Court declares mistrial on COUNSEL'S motion as to
count(s) 1 2.
At 10:30 jury returns with a verdict.
We the Jury in the above entitled action, find
the Deft. H KEITH HENSON, GUILTY, in count 3 of a
violation of Section 422.6 PC.
Oral Motion By J. HARR regarding POLLING OF
JURORS is called for hearing.
Motion Granted.
Jurors ARE Polled on the Verdict(s) and ALL
jurors answer in the affirmative.
Jurors are thanked and excused.
Defendant ordered to report to: PROBATION F/W FOR
FULL REPORT PRIOR TO SENTENCE.
Report and Sentence Hearing set on 05/16/2001 at

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Superior Court of California, County of Riverside
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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant .: HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

11:00 in Dept. H4.
Defendant Ordered to Return.
Released on Conditional O.R. on the following
term(s) STAY AWAY FROM GOLDEN PRODUCTION
DEFT IS ORDERED TO STAY OFF OF ROAD THAT GOLDEN
PRODUCTIONS OCCUPIES FROM BETWEEN STATE AND
SANDERSON.
Oral Motion By J. HARR regarding DEFICIENCY IN
EVIDENCE RE COUNT #3 is called for hearing.
Motion Denied.
Motion By J. HARR Regarding MOTION FOR NEW TRIAL
is called for hearing.
DA SUBMITS BUT DOES NOT WAIVE RIGHTS
THE COURT DOES NOT FIND SUFFICIENT GROUNDS.
Motion Denied.
At 10:52, proceedings adjourned.
MINUTE ORDER OF COURT PROCEEDING

4/25/01

Filed: QUESTION FROM JURY

H4

Jury Trial In-Progress
Honorable JUDGE ROBERT WALLERSTEIN Presiding.
Courtroom Assistant: P. Richards
Court Reporter: A. FAGAN
People Represented By Deputy District Attorney
R.SCHWARZ.
Defendant Represented By PVT-J.HARR.
Defendant Present.
Court and Counsel Confer regarding: IN CHAMBERS
RE: JUROR QUESTION
At 3:25, the following proceedings were held:
In the Presence Of the Jury, the following
proceedings were held: QUESTIONS/JURORS SPLIT ON
2 COUNTS
JURORS HAVE REACHED A VERDICT AS TO 1 COUNT
VERDICT SEALED AND SUBMITTED TO THE COURT.
At 3:45, the following proceedings were held:
ALL Jurors Are Directed to CONTINUE DELIBERATING.
Trial Adjourned (JURY DELIBERATING) to 04/26/2001
at 9:00 in Dept. H4.
Defendant Ordered to Return.
Own Recognizance (O.R.) release continued.
At 4:30, proceedings adjourned.
MINUTE ORDER OF COURT PROCEEDING
MINUTE ORDER OF COURT PROCEEDING

Dispo

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3/07/07

Superior Court of California, County of Riverside
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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

4/24/01

Filed: CALJIC REQUEST FROM J HARR

Filed: JURY INSTRUCTIONS

Filed: LIST OF EXHIBITS

Filed: QUESTION FROM JURY

H4

Jury Trial In-Progress

Dispo

THIRD DAY OF TRIAL

Honorable ROBERT H. WALLERSTEIN Presiding.

Courtroom Assistant: L. Getz

Court Reporter: A. Fagan.

People Represented By Deputy District Attorney
R.SCHWARZ.

Defendant Represented By PVT-J.HARR.

Defendant Present.

At 8:45, the following proceedings were held:

Out of the Presence Of the Jury, the following
proceedings were held: JURY INSTRUCTIONS

Court and Counsel discuss jury instructions on
the record. (JINS)

At 9:04, the following proceedings were held:

Members of the Jury and Alternate(s) ARE present

People's Witness, BRUCE WAGONER is Sworn and
testifies.

PEOPLE PRESENTS WITNESS WITH EXHIBITS #2 6 7 8A

9A 10 13 14 15A 17 18A 19A 20 22 23 24A 25A.

Witness BRUCE WAGONER Excused; Subject to recall.

At 9:40, the following proceedings were held:

People's Witness, KILARY DEZOTELL is Sworn and
testifies.

PEOPLE PRESENTED EXHIBITS #2 6 7 8A 9A 10 13

14 15A 17 18A 19A 20A 22 23 24A 25A FOR REVIEW.

Witness HILARY DEZOTELL Excused; Subject to
recall.

At 10:03, the following proceedings were held:

People's Witness, MICHAEL ROWE is Sworn and
testifies.

Witness MICHAEL ROWE excused.

At 10:20, the following proceedings were held:

Out of the Presence Of the Jury, the following

proceedings were held: MOTION BY PEOPLE TO ADMIT
EXHIBITS

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3/07/07

Superior Court of California, County of Riverside
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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant .: HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE: 7/19/00

Defn : 1 of 1

=====

People's Exhibit(s) 2 6 7 8A 9A 10 13 14 15A 17
18A 19A 20A 22 is/are Admitted in evidence.
People's Exhibit(s) 23 24A 25A 26 28 29 30 is/are
Admitted in evidence.
PEOPLE RESTS.
Motion By J HARR Regarding 1118.1 PC is called
for hearing.
ARGUMENT HEARD BY COUNSEL.
Motion Denied.
At 10:53, the following proceedings were held:
Members of the Jury and Alternate(s) ARE present
COURT IN SESSION: ALL PARTIES PRESENT.
Closing Argument PRESENTED By PEOPLE.
Closing Argument PRESENTED By DEFENSE COUNSEL.
At 12:14, the following proceedings were held:
COURT IN RECESS FOR LUNCH.
At 13:35, the following proceedings were held:
Members of the Jury and Alternate(s) ARE present
COURT IN SESSION: ALL PARTIES PRESENT.
Court Instructs the Jury.
At 14:10, the following proceedings were held:
Bailiff Is Sworn to take charge of the jury and
alternate(s).
JURY IN DELIBERATIONS.
QUESTION SUBMITTED BY THE JURY.
Out of the Presence Of the Jury, the following
proceedings were held: COUNSEL CONCUR RE QUESTION
Remains released on Own Recognizance.
Jury TRIAL IN-PROGRESS is adjourned to 04/25/2001
at 9:00 in Department H4.
MINUTE ORDER OF COURT PROCEEDING

Motion IN SUPPORT OF PEOPLE'S JURY INSTRUCTIONS
BY DA filed.

Filed: CALJIC REQUEST FROM R. SCHWARZ

4/20/01 H4

Jury Trial In-Progress
SECOND DAY OF TRIAL
Honorable ROBERT H. WALLERSTEIN Presiding.
Courtroom Assistant: L. Getz
Court Reporter: A. Fagan.
People Represented By Deputy District Attorney
R.SCHWARZ.
Defendant Represented By PVT-J.HARR.

Dispo

OTSCASPR
3/07/07

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant .: HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE . . . : 7/19/00

Defn : 1 of 1

Defendant Present.

Members of the Jury and Alternate(s) ARE present
At 9:05, the following proceedings were held:
Court Trial Commences.

DA PRESENTS REDACTED EXHIBITS MARKED AS:
8A 9A 15A 18A 19A 20A 23A 24A & 25A.

KENNETH HODEN Resumes The Witness stand and is
further examined.

People's Exhibit 28 is/are Marked for
identification only.

People's Exhibit 29 is/are Marked for
identification only.

Out of the Presence Of the Jury, the following
proceedings were held: REDACTED EXHIBITS
DEFENSE COUNSEL SHALL BE PERMITTED TO USE UN-
REDACTED EXHIBITS WITH THE EXCEPTION OF THE
EXHIBIT MENTIONING THE THREE DEATHS.

Out of the Presence Of the Jury, the following
proceedings were held: UN-REDACTED EXHIBITS.

Court and Counsel Confer regarding: EXHIBITS

At 10:25, the following proceedings were held:

Members of the Jury and Alternate(s) ARE present
KENNETH HODEN Resumes The Witness stand and is
further examined.

People's Exhibit 30 is/are Marked for
identification only.

Out of the Presence Of the Jury, the following
proceedings were held: TRIAL RELATED ISSUES.

At 11:50, the following proceedings were held:
COURT IN RECESS FOR LUNCH.

At 13:41, the following proceedings were held:
COURT IN SESSION:

KENNETH HODEN Resumes The Witness stand and is
further examined.

At 14:21, the following proceedings were held:

Witness KENNETH HODEN Excused; Subject to recall.

At 14:22, the following proceedings were held:
People's Witness, ANTHONY GREER is Sworn and
testifies.

WITNESS IDENTIFIES DEFENDANT FOR THE RECORD.

At 14:52, the following proceedings were held:

Witness ANTHONY GREER Excused; Subject to recall.

At 14:53, the following proceedings were held:
People's Witness, WAYNE HECKERMAN is Sworn and
testifies.

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CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

At 14:57, the following proceedings were held:
Witness WAYNE HECKERMAN Excused; Subject to
recall.
At 15:01, the following proceedings were held:
Jurors Are Admonished and directed to return on
04/24/2001 at 9:00.
QUESTION SUBMITTED BY JUROR.
Out of the Presence Of the Jury, the following
proceedings were held: JURY INSTRUCTION ISSUES
Remains released on Own Recognizance.
Jury TRIAL IN-PROGRESS is adjourned to 04/24/2001
at 8:30 in Department H4.
At 15:06, proceedings adjourned.
MINUTE ORDER OF COURT PROCEEDING

4/19/01

Filed: JUROR QUESTIONNAIRE
Filed: WITNESS LIST
Filed: STIP RE JURY ADMONITION

H4

Jury Trial
Honorable ROBERT H. WALLERSTEIN Presiding.
Courtroom Assistant: L. Getz
Court Reporter: LINDA IVERS
People Represented By Deputy District Attorney
R.SCHWARZ.
Defendant Represented By PVT-J.HARR.
Defendant Present.
At 9:15, the following proceedings were held:
Out of the Presence Of the Jury, the following
proceedings were held: EXHIBIT 19
Court and Counsel Confer regarding: EXHIBIT 19
ARGUMENT HEARD BY BOTH SIDES.
Motion Granted.
WITNESS LISTS FILED.
Oral Motion By R.SCHWARZ regarding AMEND
COMPLAINT is called for hearing.
Motion Granted.
COMPLAINT IS AMENDED TO DELETE VICTIMS MICHAEL
GILCHRIST/ DANA REID AND MURIEL DUFRESNE.
VICITM HENNETH HODEN IS TO BE ADDED.
Defendant Arraigned
ARRAIGNMENT IS AS TO AMENDED COMPLAINT.
DEFT PLEADS NOT GUILTY TO AMENDED COMPLAINT.

Dispo

CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant .: HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

Defendant Waives Constitutional Rights.

At 9:55, the following proceedings were held:
Prospective Jury Panel having been summoned, is
sworn regarding their qualifications to act as
trial jurors.

COUNSEL PROVIDED COURT WITH JUROR QUESTIONNAIRE.

At 10:10, the following proceedings were held:
Jury Voir Dire COMMENCES.

Court Instructs the Jury.

INSTRUCTION IS AS TO CASE CONTENTS.

Out of the Presence Of the Jury, the following
proceedings were held: TRIAL RELATED ISSUES

Court and Counsel Confer regarding: TRIAL RELATED
ISSUES

At 11:16, the following proceedings were held:
COURT IN SESSION: ALL PARTIES PRESENT.

Jury Voir Dire RESUMES..

At 12:00, the following proceedings were held:
COURT IN RECESS FOR LUNCH.

At 13:33, the following proceedings were held:
Jury Voir Dire RESUMES.

At 14:55, the following proceedings were held:
JURY PANEL IS SWORN.

ALTERNATE JURORS ARE SWORN.

COURT HAS RECEIVED STIP RE JURY ADMONITION.

At 15:24, the following proceedings were held:
Opening Statement PRESENTED By R. SCHWARZ.

At 15:37, the following proceedings were held:
Opening Statement PRESENTED By J. HARR.

People's Witness, FRANK C. PETTY is Sworn and
testifies.

People's Exhibit 27 is/are Marked for
identification only.

At 16:01, the following proceedings were held:
People's Witness, KENNETH HODEN is Sworn and
testifies.

People's Exhibit 26 is/are Marked for
identification only.

Witness KENNETH HODEN excused.

COURT ORDERS K HODEN TO RETURN 042001 @ 0900.

Jurors Are Admonished and directed to return on
04/20/2001 at 9:00.

Out of the Presence Of the Jury, the following
proceedings were held: QUESTIONS FROM JUROR #5.

Court and Counsel Confer regarding: QUESTION #5

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant .: HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

Remains released on Own Recognizance.
At 16:00, proceedings adjourned.
Jury TRIAL IN-PROGRESS is adjourned to 04/20/2001
at 9:00 in Department H4.
MINUTE ORDER OF COURT PROCEEDING

4/18/01 Filed: DEFT MOTION FOR RECONSIDERATION

H2 Jury Trial
H2 No Minutes

Vacate

4/17/01 Filed: OPP TO MOT 4 RESCONS ON RULNG ON MIL TO
EXCLD TEST

Hearing Set 04/18/2001 at 9:00 re JT is Vacated.

H2 Hearing on Motion Re: AUTHENTICATION HEARING
Honorable ROBERT H. WALLERSTEIN Presiding.
Courtroom Assistant: D. Cope
Court Reporter: A. Fagan.
People Represented By Deputy District Attorney
R.SCHWARZ.
Defendant Represented By PVT-J.HARR.
Defendant Present.

Dispo

At 9:00, the following proceedings were held:
COUNSEL ARGUE MOTION FOR RECONSIDERATION
Motion By J. HARR Regarding RECONSIDERATION is
called for hearing.
MOTION FOR RECONSIDERATION is Taken Under
Submission.

THE COURT STATES THE JURY TRIAL WILL COMMENCE
ON THURSDAY 4/19/01 AT 9:00 A.M.
THE COURT HEARS ARGUMENT RE AUTHENTIFICATIONS
People's Witness, DEPUTY MICHAEL ROWE is Sworn
and testifies.

People's Exhibit 1 is/are Marked for
identification only.

People's Exhibit 2 is/are Marked for
identification only.

PEOPLE'S EXHIBIT 2 IS AUTHENTICATED

People's Exhibit 3 THROUGH 25 is/are Marked for
identification only.

THE COURT IDENTIFIES THE PORTION OF EXHIBIT 6
THAT IS AUTHENTICATED

THE COURT RESERVES ON PEOPLE'S EXHIBIT 11

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE: 7/19/00

Defn : 1 of 1

THE COURT RESERVES ON PEOPLE'S EXHIBIT 12
PEOPLE'S EXHIBITS 7 THROUGH 10 ARE DEEMED
AUTHENTICATED

People's Witness, OFFICER ANTHONY GREER is Sworn
and testifies.

PEOPLE'S EXHIBITS 17 THROUGH 23 ARE DEEMED
AUTHENTICATED

PEOPLE'S EXHIBITS 24 AND 25 ARE DEEMED
AUTHENTICATED AS REDACTED

EXHIBIT #16 IS NOT RECEIVED/AUTHENTICATED BY
THE COURT.

COUNSEL PRESENTS AGRUMENT RE FAIR GAME DOCTRINE.

COURT MAKES FINDING: EVIDENCE/TESTIMONY RE THE
FAIR GAME DOCTRINE WILL NOT BE PERMITTED.

MOTION BY J. HARR RE RECONSIDERATION IS DENIED.

EXHIBIT #1 IS NOT RECEIVED/AUTHENICATED BY
THE COURT.

EXHIBITS #4 #11 AND #12 ARE EXCLUDED BY THE COURT.

DEFENDANT INDICATES HE WILL STIPULATE TO A COURT
TRIAL.

DA WILL CONFER W/ SUPERVISOR AND INFORM COURT.

MATTER OF BOOK TITLED MAMBO CHICKEN IS RESERVED.

COUNSEL IS TO PREPARE JURY INSTRUCTIONS AND JURY
QUESTIONNAIRE.

Hearing on 04/19/2001 at 9:00 for XX%XX is
Confirmed.

Defendant Ordered to Return.

Remains released on Own Recognizance.

At 2:30, proceedings adjourned.

MINUTE ORDER OF COURT PROCEEDING

4/16/01 H2
H2

Jury Trial
No Minutes

Vacate

4/13/01

Motion FOR RECONSIDERATION AND CLARIFICATION OF
THE filed.

4/11/01

Miscellaneous Payment of \$1.50 Received.
010411-0730-CS FPC/ 1.50 000

H2

Ex Parte Hearing Re: REQUEST TO CONTINUE JURY
TRIAL
Honorable JUDGE ROBERT WALLERSTEIN Presiding.
Clerk: T.ADMIRE
People Represented By Deputy District Attorney

Dispo

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant .: HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

R.SCHWARZ (ABSENT).
Defendant Represented By PVT-J.HARR (ABSENT).
At 1:30, the following proceedings were held:
Counsel Stipulate: TO CONTINUE AUTHENTICATION
HEARING & JURY TRIAL.
Hearing on 04/16/2001 at 8:30 for JT is Vacated.
Motion for AUTHENTICATION HEARING is set on
04/17/2001 at 9:00 in Department H2.
Jury Trial set for 04/18/2001 at 9:00 in
Department H2. Estimated 0 days.
Defendant Ordered to Return.
Own Recognizance (O.R.) release continued.
MINUTE ORDER OF COURT PROCEEDING

4/09/01

Filed: COURT RULING ON 402 MOTIONS

H1

Hearing on Motion Re: 402 MOTIONS
Honorable JUDGE ROBERT WALLERSTEIN Presiding.
Courtroom Assistant: D. Cope
Court Reporter: L. Ivers.
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT JAMES HARR.
Defendant Present.
DEPUTY ATTORNEY GENERAL PRESENT
COUNSEL ARGUE MOTION TO DISQUALIFY RIVERSIDE
COUNTY DISTRICT ATTORNEY
Motion Denied.
COUNSEL ARGUE MOTION RE AUTHENTICATION OF
INTERNET POSTINGS
Motion Granted.
COUNSEL ARGUE MOTION TO RULE ON ADMISSIBILITY
OF EVIDENCE OF CONFESSION/ADMISSIONS OUTSIDE
OF PRESENCE OF JURY
Motion Denied.
COUNSEL ARGUE MOTION TO EXCLUDE THE BOOK
ENTITLED THE GREAT MAMBO CHICKEN
THE COURT RESERVES ON THIS MOTION
THE MOTION TO EXCLUDE EVIDENCE OF 3
ACCIDENTAL DEATHS IS RULED MOOT
COUNSEL ARGUE MOTION TO EXCLUDE LAY TESTIMONY
OF DETECTIVE GREER
Motion Granted.
COUNSEL ARGUE RE FAIR GAMES DOCTRINE
RULING ON FAIR GAMES DOCTRINE TAKEN UNDER

Dispo

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CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

SUBMISSION

Trial Date Confirmed.

JURY PANEL TO BE ORDERED FOR WEDNESDAY

At 10:30, proceedings adjourned.

Own Recognizance (O.R.) release continued.

MINUTE ORDER OF COURT PROCEEDING

H2 Hearing on Motion Re: 402 MOTIONS Dispo

Honorable Judge ALBERT J. WOJCIK Presiding.

Courtroom Assistant: K. Herich

Court Reporter: P. Carlucci.

People Represented By Deputy District Attorney R.
SCHWARZ.

Defendant Represented By PVT JAMES HARR.

Defendant is Not Present.

At 8:45, the following proceedings were held:

Case Assigned To Department H1, to JUDGE ROBERT
WALLERSTEIN for all further proceedings.

Motion for 402 MOTIONS is set on 04/09/2001 at
8:45 in Department H1.

Own Recognizance (O.R.) release continued.

MINUTE ORDER OF COURT PROCEEDING

Miscellaneous Payment of \$4.50 Received.

010409-0786-CS FPC/ 4.50 000

H1 Calendar add on: COURT RULING ON 402 MOTIONS Dispo

Honorable JUDGE ROBERT WALLERSTEIN Presiding.

Clerk: T.ADMIRE

Motion Granted.

THE MOTION TO EXCLUDE TESTIMONY CONCERNING THE
"FAIR GAME" POLICY IS GRANTED WITH THE FOLLOWING
LIMITATIONS:

THE COURT WILL CONDUCT A 402 HEARING PRIOR OF THE
QUALIFICATIONS OF THE DEFENSE EXPERT TO TESTIFY
AS TO THE EXISTENCE OF THE "FAIR GAME" DOCTRINE ON
THE DATES IN QUESTION. IN THE EVENT THE COURT IS
NOT SATISFIED AS TO THE EXPERT'S QUALIFICATIONS
THE COURT WILL GRANT THE MOTION IN LIMINE TO
INCLUDE CROSS-EXAMINATION.

IN THE EVENT THE COURT FINDS THE EXPERT TO BE
QUALIFIED THE COURT WILL CONDUCT AN ADDITIONAL
402 HEARING TO DETERMINE WHETHER THE TESTIMONY OF
THE VICTIM WITNESSES WILL DISCLOSE THEIR MEMBER-
SHIP IN THE CHURCH OF SCIENTOLOGY.

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant .: HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE: 7/19/00

Defn : 1 of 1

=====
Court orders COURT RULING filed.
Copy of COURT RULING ON 402 MOTIONS furnished to
BOTH COUNSEL (BY FAX)
Hearing on 04/16/2001 at 8:30 for XX%XX is
COnfirmed.
Defendant Ordered to Return.
Own Recognizance (O.R.) release continued.
MINUTE ORDER OF COURT PROCEEDING
=====

4/03/01 Filed: OPINION OF ATTY GENERAL RE DEFTS MOTION TO
RECUSE

3/28/01 Filed: PEOPLE'S REPLY MEMO TO DEFT'S OPPSTN TO
MTN IN LIM

3/22/01 Filed: PROOF OF SERVICE

Filed: OPPOSITION TO MOTION IN LIMINE TO EXCLUDE

3/13/01 Filed: AMENDED PROOF OF SERVICE ON ATTNY GENERAL
Motion REQUEST TO EVIDENCE 402 filed.

Motion MTN TO DISQUALIFY OFFICE OF DA filed.

Motion OPPOSITION TO MTN LIMINE EXCLUDE TESTIMONY
filed.

Motion OPPOSITION TO MTN IN LIMINE EXCLUDE
EVIDENCE filed.

3/12/01 Motion TO EXCLUDE EVIDENCE filed.

Filed: PROOF OF SERVICE

Motion MTN IN LIMINE TO EXCLD TESTMY CONCERN
RELIGIOUS PRAC filed.

Motion MTN IN LIMINE TO EXCLUDE LAY OPINION OF
DECT GREER filed.

Motion MTN IN LIMINE TO EXCLUDE AND/OR LIMIT
TESTIMONY filed.

Motion MTN IN LIMINE TO EXCLD EVDNC OF 3 ACCDNTL

CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

DEATHS filed.

Motion AUTHENTICATION OF INTERNET POSTING filed.

2/26/01 H2 Trial Readiness Conference Dispo
Honorable Judge ALBERT J. WOJCIK Presiding.
Clerk: K. HERICH
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT JAMES HARR.
Defendant is Not Present.
Defense Counsel appears for the defendant 977 PC.
At 9:07, the following proceedings were held:
Hearing on 04/09/2001 at 8:30 for XX%XX is
Confirmed.
Trial Date Confirmed.
Motion for JUDGE REVIEW is set on 03/23/2001 at
8:30 in Department H2.
Defendant Ordered to Return.
Next Court Appearance: 4/9/01 at 8:30 am in Dept.
H2.
Own Recognizance (O.R.) release continued.
MINUTE ORDER OF COURT PROCEEDING

2/08/01 Miscellaneous Payment of \$30.00 Received.
010209-0139-CK FPC/ 30.00 000

1/23/01 Miscellaneous Payment of \$1.00 Received.
010123-0842-CS FPC/ 1.00 000

Miscellaneous Payment of \$0.50 Received.
010123-0807-CS FPC/ 0.50 000

1/22/01 H3 Jury Trial Vacate
H3 No Minutes

1/19/01 H2 Trial Status Conference Dispo
Honorable Judge ALBERT J. WOJCIK Presiding.
Clerk: P. RICHARDS
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT JAMES HARR.
Court Reporter: NONE
Defendant Present.
Court and Counsel Confer regarding: TRIAL DATES

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

Jury Trial set for 04/16/2001 at 8:30 in
Department H2. Estimated 5 days.
Defendant waives time for JURY TRIAL plus 10
Court days.
Trial Readiness Conference set for 02/26/2001 at
8:30 in Dept. H2. (CONF)
Motion for 402 MOTIONS is set on 04/09/2001 at
8:30 in Department H2.
DEFENDANT IS NOT ORDERED TO BE PRESENT ON 2-26-01.
CONDITIONAL O.R IS CONTINUED ON THE SAME TERMS
AND CONDITIONS SET FORTH PREVIOUSLY.
Defendant Ordered to Return.
Own Recognizance (O.R.) release continued.
REQUEST FOR CONTINUANCE SUBMITTED AFTER
COURT HAD CALLED THIS MATTER.
MINUTE ORDER OF COURT PROCEEDING

Miscellaneous Payment of \$3.50 Received.
010119-0797-CS FPC/ 3.50 000

H3 Motion TO WITHDRAW AS COUNSEL DEC & EXHIBIT Dispo
Honorable Judge RODNEY L. WALKER Presiding.
Clerk: T. Brossoit
Court Reporter: P. Carlucci
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT JAMES HARR.
Defendant Present.
Court and Counsel Confer regarding: IN CHAMBERS
(OFF THE RECORD)
At 11:02, the following proceedings were held:
Bench Warrant Quashed.
O.R. RELEASE REINSTATED.
Motion By DEFENSE Regarding MR. BERRY TO WITHDRAW
AS COUNSEL OF RECORD is called for
hearing.
Motion Granted.
Private Counsel GRAHAM BERRY relieved.
Oral Motion By PEOPLE regarding COURT TO RECUSE
ITSELF is called for hearing.
COURT RECUSES ITSELF DUE TO ITS RELATIONSHIP WITH
INVESTIGATING OFFICER GREER.
Hearing on 01/22/2001 at 8:30 for JT is Vacated.
CASE RETURNED TO MASTER CALENDAR DEPT. H2 FOR
RE-ASSIGNMENT AND SCHEDULING.

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CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

Trial Status Conference set on 01/19/2001 at
11:00 in Dept. H2.(CONF)
Defendant Ordered to Return.
Released on O.R.

MINUTE ORDER OF COURT PROCEEDING

1/12/01 Miscellaneous Payment of \$0.50 Received.
010116-0451-CS FPC/ 0.50 000

H3 Motion TO WITHDRAW AS COUNSEL DEC & EXHIBIT Dispo
Honorable Judge RODNEY L. WALKER Presiding.
Clerk: T. Brossoit
Court Reporter: P. Carlucci
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT JAMES HARR & GRAHAM
BERRY (NOT PRESENT).
Defendant is Not Present.
At 8:50, the following proceedings were held:
O.R. Revoked
Hearing Continued by the Courts own motion.
Matter continued to 01/19/2001 at 8:30 in
Department H3.
Bench Warrant Issued and Held to 01/19/2001. Bail
set at \$10000.00. (BWAR)
DEFENDANT AND MR. HARR ARE ORDERED TO BE PRESENT
WITHOUT FAIL ON 01/19/01.
MR. HARR NOTIFIED BY COPY OF THIS MINUTE ORDER.
MINUTE ORDER OF COURT PROCEEDING

1/11/01 Filed: PROOF OF PERSONAL SERVICE

1/10/01 Filed: MOTION TO WITHDRAW AS COUNSEL

12/11/00 H3 Trial Status Conference Dispo
Honorable Judge RODNEY L. WALKER Presiding.
Clerk: T. Brossoit
Court Reporter: P. Carlucci
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT JAMES HARR & GRAHAM
BERRY.
Defendant Present.
At 9:14, the following proceedings were held:
COURT AND COUNSEL CONFER ON THE RECORD.

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CASE NUMBER: HEM014371
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ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

Jury Trial set for 01/22/2001 at 8:30 in
Department H3. Estimated 5 days.
NO FURTHER CONTINUANCES.
BOTH DEFENSE COUNSEL ORDERED TO BE PRESENT.
Defendant Ordered to Return.
Remains released on Own Recognizance.
MINUTE ORDER OF COURT PROCEEDING

12/08/00 H3

Pre-trial Conference
Honorable Judge RODNEY L. WALKER Presiding.
Clerk: T. Brossoit
Court Reporter: P. Carlucci
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT JAMES HARR (& GRAHAM
BERRY NOT PRESENT).
Defendant is Not Present.
Defense Counsel appears for the defendant 977 PC.
At 8:55, the following proceedings were held:
COURT & COUNSEL CONFER ON THE RECORD.
At 10:10, the following proceedings were held:
COURT & COUNSEL CONFER ON CHAMBERS OFF THE RECORD.
At 10:45, the following proceedings were held:
Trial Status Conference set on 12/11/2000 at
9:00 in Dept. H3.(CONF)
Remains released on Own Recognizance.
MINUTE ORDER OF COURT PROCEEDING

Dispo

11/29/00

Miscellaneous Payment of \$2.50 Received.
001129-0827-CS FPC/ 2.50 000

11/28/00

Miscellaneous Payment of \$12.00 Received.
001128-1773-CS FPC/ 12.00 000

11/13/00

Miscellaneous Payment of \$7.00 Received.
001114-0390-CK FPC/ 7.00 000

Miscellaneous Payment of \$8.50 Received.
001113-1187-CS FPC/ 8.50 000

11/07/00

Reporter's Transcript of Proceedings Dated 102700
Filed

10/30/00

Miscellaneous Payment of \$0.50 Received.
001030-0985-CS FPC/ 0.50 000

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CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

Correspondence from ARNALDO LERMA Filed.

H3 Jury Trial Dispo
Honorable Judge RODNEY L. WALKER Presiding.
Clerk: T. Brossoit
Court Reporter: P. Carlucci
People Represented By Deputy District Attorney R. SCHWARZ.
Defendant Represented By PVT GRAHAM BERRY & JAMES HARR.
Defendant Present.
At 9:19, the following proceedings were held:
COURT AND COUNSEL CONFER IN CHAMBERS.
At 11:10, the following proceedings were held:
COURT AND COUNSEL CONFER IN CHAMBERS.
At 11:37, the following proceedings were held:
Defendant Waives Formal Arraignment.
Defendant Arraigned on Amended Complaint (ARRN)
Pleads Not Guilty to all charges.
COUNSEL STIPULATE TO CONTINUE TRIAL IN ORDER TO
ADDRESS THE CONSTITUTIONAL ISSUES PRIOR TO
EMPANELING A JURY.
THE STIPULATED FACTS SHALL BE SUBMITTED IN WRITTEN
FORM BY 12/08/00 AND SHALL BE SIGNED BY ALL THE
ATTORNEYS AND THE DEFENDANT.
FURTHER BRIEFING SCHEDULING TO BE SET ON 12/08/00.
Pre Trial Hearing set for 12/08/2000 at 8:30 in
Dept. H3.
Defendant Waives Time For TRIAL TO 12/08/00 plus
45 days.
Defendant Ordered to Return.
Remains released on Own Recognizance.
MINUTE ORDER OF COURT PROCEEDING

H2 Jury Trial Dispo
Honorable Judge ALBERT J. WOJCIK Presiding.
Clerk: K. Herich/tab
Case Assigned To Department H3, to Judge RODNEY
L. WALKER for all further proceedings.
Jury Trial Trails to 10/30/2000 at 9:00 in Dept
H3.
Remains released on Own Recognizance.
MINUTE ORDER OF COURT PROCEEDING

OTSCASPR
3/07/07

Superior Court of California, County of Riverside
CASE PRINT
www.courts.co.riverside.ca.us

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RC

CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

10/27/00 H2 Trial Readiness Conference Dispo
Honorable Judge ALBERT J. WOJCIK Presiding.
Clerk: K. HERICH
Court Reporter: P. CARLUCCI
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT GRAHAM BERRY AND
JAMES HARR.
Defendant Present.
At 10:41, the following proceedings were held:
Motion By DEFENSE Regarding CONTINUE TRIAL is
called for hearing.
Argument PRESENTED By BOTH SIDES, Matter is
submitted.
Motion Denied.
Trial Date Confirmed.
Next Court Appearance: 10/30/00 at 8:30 am in
Dept. H2.
Defendant Ordered to Return.
Own Recognizance (O.R.) release continued.
MINUTE ORDER OF COURT PROCEEDING

10/26/00 Motion REQUEST FOR CONTINUANCE filed.

10/11/00 H1 Pre-trial Conference Dispo
Honorable Judge ALBERT J. WOJCIK Presiding.
Clerk: K. HERICH
People Represented By Deputy District Attorney R.
SCHWARZ.
Defendant Represented By PVT GRAHAM BERRY AND
JAMES HARR.
Defendant is Not Present.
Defense Counsel appears for the defendant 977 PC.
At 9:32, the following proceedings were held:
Hearing on 10/27/2000 at 8:30 for XX%XX is
Confirmed.
Trial Date Confirmed.
Next Court Appearance: 10/27/00 at 8:30 am in
Dept. H2.
Defendant Ordered to Return.
Own Recognizance (O.R.) release continued.
MINUTE ORDER OF COURT PROCEEDING

H1 Pre-trial Conference Vacate
H1 No Minutes

OTSCASPR
3/07/07

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RC

CASE NUMBER: HEM014371 DEFENDANT STATUS: Active
ARREST NBR : DR00201037 ARREST DATE : 7/19/00
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH Defn : 1 of 1

10/05/00 Misdemeanor Complaint (Amended) filed.

9/27/00 Miscellaneous Payment of \$3.00 Received.
000927-0959-CS FPC/ 3.00 000

9/25/00 H4 Arraignment Dispo
Honorable Judge ALBERT J. WOJCIK Presiding.
Clerk: K. HERICH
People Represented By Deputy District Attorney R. SCHWARZ.
Defendant Represented By PVT GRAHAM BERRY.
Defendant Present.
Defendant acknowledges the complaint reflects his/her true name and date of birth.
Defendant Arraigned
Defendant Advised of Constitutional Rights.
Pleads Not Guilty to Count(s) 1 2.
Pre Trial Hearing set for 10/11/2000 at 8:30 in Dept. H1.
Trial Readiness Conference set for 10/27/2000 at 8:30 in Dept. H2. (CONF)
Jury Trial set for 10/30/2000 at 8:30 in Department H2. Estimated 3 days.
No time waiver entered by defendant as to TRIAL
Defendant Ordered to Return.
Oral Motion By DEFENSE regarding MODIFY CONDITIONAL O/R is called for hearing.
Argument PRESENTED By DEFENSE, Matter is submitted.
Motion Denied.
DEFENDANT REMAINS RELEASED ON CONDITIONAL O/R
Own Recognizance (O.R.) release continued.
MINUTE ORDER OF COURT PROCEEDING

9/15/00 O.R. Agreement for Release Filed.

H4 Arraignment Dispo
Honorable Judge ALBERT J. WOJCIK Presiding.
Clerk: K. HERICH
People Represented By Deputy District Attorney R. SCHWARZ.
Defendant Present.
At 9:42, the following proceedings were held:
Oral Motion By DEFENDANT regarding CONTINUE

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3/07/07

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CASE NUMBER: HEM014371
ARREST NBR : DR00201037
ARREST AGY : RIV SHERIFF (COUNTY) HEM
Defendant : HENSON, KEITH

DEFENDANT STATUS: Active
ARREST DATE : 7/19/00

Defn : 1 of 1

ARRAIGNMENT is called for hearing.
Motion Granted.
Hearing Continued by the Courts own motion.
Matter continued to 09/25/2000 at 7:30 in
Department H4.
Defendant Waives time for TRIAL TO 9/25/00 PLUS
45 DAYS.
Deft. stated that he will retain private counsel.
(INACTIVE 3/19/01 USE PCRD)
Defendant Ordered to Return.
Released on Conditional O.R. on the following
term(s) 1. NO CONTACT WITH THE FOLLOWING VICTIMS:
BRUCE WAGONER; HILARY DEZOFELL; MICHAEL GILCHRIST;
DANA REID; MURIEL DUFRESNE.
2. STAY AT LEAST 300 YARDS AWAY FROM GOLDEN ERA
PRODUCTIONS FACILITY.

MINUTE ORDER OF COURT PROCEEDING

MINUTE ORDER OF COURT PROCEEDING

9/12/00 Miscellaneous Payment of \$0.50 Received.
000912-1022-CS FPC/ 0.50 000

9/01/00 Release with: LETTER FROM DA TO APPEAR7

Complaint (Imaged)

Complaint Filed by HENDP

**** No Local DMV data available for this case ****

**** END OF CASE PRINT ****

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
4100 MAIN STREET, RIVERSIDE, CA 92501

BENCH WARRANT () FELONY (✓) MISDEMEANOR

PEOPLE OF THE STATE OF CALIFORNIA) CASE# HEM014371
)
VS) BENCH WARRANT
)
) FOR FAILURE TO APPEAR
HENSON, KEITH

1) 422 PC-M, 2) 664/M422 PC-M, 3) 42

THE PEOPLE OF THE STATE OF CALIFORNIA
TO ANY PEACE OFFICER OF THIS STATE:

The above-named defendant, having been ordered to appear on
05/16/01; and said individual having failed to comply with the
provisions of said order;

YOU ARE THEREFORE COMMANDED FORTHWITH TO ARREST said individual and
bring him before that court, or if the Court is not in session, that
you deliver him into the custody of the Sheriff of the County of
Riverside; or if he requires it, that you take him before any
magistrate in that County, or in the County in which you arrest him
that he be given bail to answer for failure to comply with said order.

Bail Set at \$0.00 FELONY WARRANTS MAY BE SERVED DAY OR NIGHT.

UPON AFFIXING JUDGE'S INITIALS MISDEMEANOR WARRANT MAY BE SERVED
AT NIGHT (). IF NOT INDICATED SERVE Misd WARRANT DAY ONLY.

Given under my hand, with court seal affixed 05/16/01

BY ORDER OF THE HONORABLE ROBERT H. WALLERSTEIN, JUDGE OF SAID COURT:



By: _____

[Signature]

Set for appearance MONDAY through FRIDAY at 7:30 in Dept H4

4100 MAIN STREET, RIVERSIDE, CA 92501

=====

INFORMATION CONCERNING DEFENDANT

Defendant's Address: PO BOX 60012 PALO ALTO, CA 94306
Deft's Business Address: , ,
DOB: 07/12/42 RACE: Caucasian SEX: Male
HT: 510 WT: 200 EYES: Hazel HAIR: Brown
DR.LIC#: C5995974 VEH LIC & STATE :
CII NO: SOCIAL SECURITY NO: 527620979

=====

APPEARANCE DATE ON ADMISSION OF BAIL

Bail Posted: \$ _____ Cash) _____ (Surety Bond) _____
For appearance pm _____ at _____ .m., Dept. _____

=====

DISPOSITION OF WARRANT

Cleared by Arrest _____ Bail Accepted _____ Recalled _____
Other _____ Unable to serve due to _____



STATE OF ARIZONA

JANET NAPOLITANO
GOVERNOR

OFFICE OF THE GOVERNOR
1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

MAIN PHONE: 602-542-4331
FACSIMILE: 602-542-7601

April 12, 2007

Honorable Steve Waugh
Yavapai County Sheriff
Attn: Carol File, Warrants Division
255 East Gurley Street
Prescott, AZ 86301

Re: Extradition of KEITH HENSON aka HOWARD KEITH HENSON

Dear Sheriff Waugh:

I am enclosing Governor Janet Napolitano's extradition warrant, and related papers in the case of the above-named subject. Pursuant to A.R.S. § 13-3850, you must execute this extradition warrant immediately. After the warrant has been served, the subject must be taken forthwith before a judge of a court of record in this state who shall advise the subject of his rights.

When all statutory requirements have been complied with and the subject is ready to return to the demanding state, please notify the following: **Yolanda Murillo, Extradition Section, Riverside County Sheriff's Office, P.O. Box 512, Riverside, California 92502, (951) 955-5613.**

If you need further information regarding this matter, please do not hesitate to contact me. Thank you for your cooperation and assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pam Ramsey".

Pam Ramsey
Extradition Officer
(602) 542-4331

Attachments

c: Yolanda Murillo
Janielle Desomer

IN THE JUSTICE COURT, PRESCOTT PRECINCT
COUNTY OF YAVAPAI, STATE OF ARIZONA

Case Number: 2007020065J

www.prescottJPCourt.com

TITLE:		COUNSEL:	
STATE OF ARIZONA,	Plaintiff.	COUNTY ATTORNEY	For Plaintiff.
vs.		and	
HOWARD KEITH HENSON, DOB: 7/12/1942	Defendant.	MICHAEL KIELSKY,	For Defendant.

NATURE OF PROCEEDINGS

Date: 5/8/2007

Clerk: Christine P.

Hon: Arthur Markham

APPEARANCES:

Defendant present with counsel.
Defendant's true and correct name verified and reflected herein.
Defendant verifies that the address specified in this docket is his/her correct current address.

PROCEEDING:

Hearing for: Extradition.
This being the date and time set for Extradition Hearing, let the record reflect the presence of the Judge, Clerk, Prosecutor, Defense Counsel and Defendant in the courtroom.
Defense Counsel requests a Motion to Continue.
IT IS ORDERED that the Defendant be taken into custody immediately on the Governor's Warrant and to be held on No Bond Hold.
This matter will be set for Wednesday, May 9, 2007 at the hour of 9:00 a.m. for an Initial Appearance in the Superior Court.

DELIVERED TO DEFENDANT:

A copy of this minute entry/Order & Pertinent Instructions.

THESE PROCEEDINGS WERE ELECTRONICALLY RECORDED.

DONE THIS 8TH DAY OF MAY, 2007 IN OPEN COURT.

2:35 PM May 8, 2007