

1 WANTS TO TELL YOU THAT ERIC ANDERSON WAS WITH HIM.
2 WHEN HE FOUND IT AND THAT HE GAVE THAT GUN TO ERIC
3 ANDERSON. EXCEPT THAT THERE ARE WAYS TO CHECK INTO
4 THESE BURGLARIES. HE SAID THE BURGLARY HAPPENED A
5 COUPLE OF DAYS BEFORE APRIL 14th. WELL, WE WENT
6 FURTHER THAN THAT. WE CHECKED POLICE RECORDS FOR
7 THE ENTIRE WEEK PRECEDING APRIL 14th OF 2003 TO SEE
8 IF THERE WAS ANY BURGLARY WHERE A .45 AND A COUPLE
9 OF GUITARS AND SOME -- AND SOME JEWELRY MAY HAVE
10 BEEN TAKEN. AND LO AND BEHOLD, NO CRIMES WERE
11 LOCATED TO COINCIDE WITH THE BURGLARY HE DESCRIBED.

12 THAT IS ANOTHER INDICATION, LADIES AND
13 GENTLEMEN, THAT HE'S LYING. HE MAY HAVE STOLEN THE
14 .45 IN A BURGLARY, BUT HE CERTAINLY DIDN'T STEAL THE
15 .45 IN A BURGLARY THAT HE COMMITTED WITH ERIC
16 ANDERSON ANY TIME BEFORE APRIL 14th. THERE IS NO
17 EVIDENCE TO CORROBORATE. THE ASPECTS OF BRANDON
18 HANDSHOE'S STATEMENTS THAT -- TESTIMONY THAT CAN BE
19 CORROBORATED.

20 BRANDON HANDSHOE IS NOT CREDIBLE. SO WHAT
21 DO WE HAVE, LADIES AND GENTLEMEN? WE HAVE NUMEROUS
22 CONFLICTING STATEMENTS, BOTH FROM THE WITNESSES' OWN
23 STATEMENTS, AND IF YOU COMPARE THEM, THE VARIOUS
24 STATEMENTS TO ONE ANOTHER. AND WE HAVE NO
25 CORROBORATING PHYSICAL EVIDENCE. AND HERE, LADIES
26 AND GENTLEMEN, I JUST WANT TO EMPHASIZE AGAIN, AS I
27 DID IN OPENING. THE ANDERSON CONDO ON ROBINSON WAS
28 THOROUGHLY SEARCHED ON APRIL 24th. THE HARMAN

PEOPLE MADE A DEAL. THOSE NASTY PROSECUTORS MADE A DEAL WITH BRANDON HANDSHOE SO HE COULD AVOID LIFE WITHOUT POSSIBILITY OF PAROLE. INSTEAD, HE'S GOING TO GET THE WALK IN THE PARK OF 17 YEARS IN STATE PRISON.

IS IT A LESSER SENTENCE? YOU BET IT IS. YOU BET IT IS. IS IT STILL A SIGNIFICANT SENTENCE? YOU BET IT IS. BUT, YOU KNOW, THE THING ABOUT BRANDON HANDSHOE'S "DEAL" WITH THE PEOPLE IS THAT IT WAS DONE WHEN IT WAS DONE, AND IT WAS DONE BEFORE HE TESTIFIED ON THE STAND. AND HE COULD HAVE BLAMED THIS CRIME ON MARTIANS, AND IT WOULDN'T HAVE CHANGED HIS 17-YEAR STIPULATED SENTENCE.

MS. VANDENBOSCH: OBJECTION, YOUR HONOR, MISSTATES THE EVIDENCE.

THE COURT: THIS IS ARGUMENT. LADIES AND GENTLEMEN, YOU WILL HAVE A COPY OF THE AGREEMENT THAT WAS REACHED WITH MR. HANDSHOE. I'M GOING TO ALLOW MR. MCALLISTER TO ARGUE HIS VIEWPOINT ON WHAT THAT MEANS.

THANK YOU, MS. VANDENBOSCH.

MR. MCALLISTER: THIS WOULD NOT HAVE CHANGED HIS SENTENCE, IF HE CAME IN AND SAID MARTIANS.

NOW, IF YOU COULD MAKE A CASE FOR PERJURY, IF YOU COULD SAY, "OH, GEEZ, HE PERJURED HIMSELF," YEAH, YOU CAN DO A PROSECUTION FOR PERJURY, WHICH IS WHAT WE CALL A LOW-LEVEL FELONY, COUPLE YEARS MAXIMUM IN STATE PRISON OR SOMETHING LIKE THAT.

1 THE POINT IS; THE DEAL WAS STRUCK, AND NO
2 MATTER WHAT HE SAID, HE WAS GETTING 17 YEARS. IF HE
3 CAME IN AND SAID IT WAS MARTIANS THAT DID IT, THE
4 DEAL THAT HE WAS GOING TO TESTIFY AND GET 17 YEARS
5 WAS A DONE DEAL. IT CAN'T GO UP, IT CAN'T GO DOWN;
6 THAT'S THE WAY IT IS.

7 SO YOU HAVE TO ASK YOURSELF: IF THAT'S
8 TRUE -- AND IT IS -- THEN WHY WOULD HE LIE? WHY
9 WOULD HE LIE?

10 WELL, HE HAS MOTIVATIONS FOR LYING, TOO.
11 HE DOES. I MEAN, IT'S THE OLD CONCEPT OF ANGELS FOR
12 ACTORS IN THIS GROUP. HE HAS MOTIVATIONS FOR LYING
13 BECAUSE HE STILL WANTS TO DO WHATEVER HE CAN TO HELP
14 APOLLO HUHN. HE STILL WANTS TO DO WHATEVER HE CAN
15 TO HELP RANDY LEE.

16 NOW, I SUBMIT TO YOU, LADIES AND GENTLEMEN,
17 THAT'S WHY HE'S TALKING TO US ABOUT STATEMENTS THAT
18 RANDY LEE MADE TO HIM AT DIFFERENT TIMES. AND
19 DURING HIS DEBRIEFING, HE TELLS US WHAT RANDY LEE
20 SAYS, AND THEN WHEN WE COME TO COURT, IT'S NOT JUST,
21 "WELL, HE SAID, 'YOU KEEP ME OUT OF THIS, AND I'LL
22 PUT MONEY ON YOUR BOOKS AND TAKE CARE OF YOUR
23 FAMILY.'"

24 IT BECOMES, "YOU KEEP ME OUT OF THIS AND
25 PROVE MY INNOCENCE, AND I'LL PUT MONEY ON THE BOOKS
26 AND TAKE CARE OF YOUR FAMILY." THAT'S AN ADDITION,
27 AND IT'S AN ADDITION BECAUSE HE STILL WANTS TO HELP
28 HIS BUDDIES.

1 OPENING STATEMENT, IF HE HADN'T BEEN BEFORE, THAT HE
2 WAS INTENDING TO GO AFTER MR. ANDERSON AS A SECOND
3 PROSECUTOR, AND HE ALSO MADE REFERENCE TO DARK
4 FORCES AND VARIOUS OTHER THINGS.

5 I THINK AT THIS POINT I HAVE NOT RECEIVED
6 ANY DISCOVERY FROM MR. ROAKE -- I DON'T KNOW IF HE'S
7 PROVIDED MR. MCALLISTER WITH IT, BUT I HAVE RECEIVED
8 NO DISCOVERY FROM MR. ROAKE AS TO WHAT ANY OF THESE
9 WITNESSES MIGHT TESTIFY TO WITH RESPECT TO DARK
10 FORCES OR ANYTHING ELSE.

11 AND AT THIS POINT, I AM MAKING A REQUEST OF
12 MR. ROAKE FOR WITNESS STATEMENTS AS TO ANYBODY HE
13 INTENDS TO CALL DURING THIS TRIAL THAT HAVE ANY
14 BEARING WHATSOEVER ON MR. ANDERSON'S CASE.

15 MR. ROAKE: I WOULD BE PLEASED TO PROVIDE HER
16 WHAT SHE IS ENTITLED TO, YOUR HONOR, AND I HAVE
17 PROVIDED DISCOVERY TO MR. MCALLISTER.

18 THE COURT: NOW, IN TERMS --

19 MR. ROAKE: ALTHOUGH, I AM NOT A SECOND
20 PROSECUTOR UNDER DISCOVERY STATUTES.

21 THE COURT: UNDER 1054, IF THERE ARE REPORTS OF
22 WITNESSES THAT MR. ROAKE INTENDS TO CALL, I'M
23 ORDERING MR. ROAKE TO TURN THOSE OVER TO THE
24 DISTRICT ATTORNEY, AND THOSE REPORTS SHOULD BE
25 DISTRIBUTED TO ALL COUNSEL.

26 MS. VANDENBOSCH: OKAY.

27 THE COURT: ALL RIGHT.

28 MS. ROSENFELD: FOR THE RECORD, I DO JOIN IN

1 NOT TERMED TO BE AN ASSOCIATE, THEN I HAVE NO
2 PROBLEM WITH IT.

3 THE COURT: ALL RIGHT. WELL, I -- AT THIS
4 POINT, I GUESS ALL WE CAN DO IS YOU'VE PLACED ALL
5 SIDES ON NOTICE THAT WITHOUT SOME FOUNDATION, THERE
6 SHOULD BE NO REFERENCE TO MR. HUHNS AS A POTENTIAL
7 AFFILIATE OR ASSOCIATE OR MEMBER OF SOME TYPE OF
8 GANG. AND RIGHT NOW, I HAVE NO INFORMATION TO THAT
9 EFFECT, SO I WOULD BE INCLINED TO AGREE WITH YOU,
10 THAT THERE SHOULD BE NO REFERENCE MADE TO MR. HUHNS
11 BEING A MEMBER OF ANY GANG.

12 MS. VANDENBOSCH.

13 MS. VANDENBOSCH: YES, YOUR HONOR, I WOULD HAVE
14 NO OBJECTION TO BRINGING THIS INFORMATION OUT, OUT
15 OF THE PRESENCE OF MR. HUHNS JURY, BUT MY
16 RECOLLECTION OF LISTENING TO THESE MANY JAILHOUSE
17 CONVERSATIONS IS THAT MR. HUHNS SPECIFICALLY REFERS
18 TO HIMSELF AS A PECKERWOOD, AND REFERS TO THE
19 PECKERWOOD GANG IN VARIOUS CONVERSATIONS THAT HE HAS
20 TO OUTSIDERS, INCLUDING VALERIE PERETTI.

21 MY CONCERN IS THIS: WHEN ZACHARY PAULSON
22 WAS ARRESTED THIS LAST TIME ON THE PAROLE VIOLATION
23 AND IS BOOKED IN TO CUSTODY, OBVIOUSLY, AS THE COURT
24 SAW, HE SPECIFICALLY INDICATES THAT HE IS A MEMBER
25 OF THE PECKERWOOD GANG. I MEAN, THAT'S THE NOTATION
26 THAT'S PUT ON HIS FILE. HE ALSO, IN OTHER
27 STATEMENTS AFTER THAT SAME ARREST, MAKES COMMENTS OF
28 HAVING TESTIFIED AGAINST ERIC ANDERSON AND FOR -- IN

↑ *wishes to say in court shall be help*

1 FAVOR OF APOLLO HUHNS AND BRANDON HANDSHOE. MY
2 UNDERSTANDING IS THAT BOTH BRANDON HANDSHOE AND
3 APOLLO HUHNS HAVE ASSOCIATIONS, AFFILIATIONS WITH THE
4 PECKERWOOD GANG, AS DOES ZACHARY PAULSON. THAT
5 CREATES A CLEAR BIAS IN HIS OWN MIND TOWARDS BRANDON
6 AND APOLLO AND AWAY FROM ERIC ANDERSON, WHO HAS NO
7 AFFILIATION WITH THAT PARTICULAR GANG.

8 AND I THINK, SPECIFICALLY IN LIGHT OF HIS
9 OWN STATEMENTS, IN ONE OF THE REPORTS AFTER THE
10 INCIDENT IN THE JAIL IS, I TESTIFIED FOR APOLLO HUHNS
11 AND BRANDON HANDSHOE. THAT MAY NOT HAVE BEEN THE
12 WAY OTHER PEOPLE PERCEIVED IT. THAT'S THE WAY HE
13 PERCEIVED IT. AND I THINK THAT SHOWS A CLEAR BIAS
14 TOWARD BRANDON AND APOLLO. AND I THINK IN LARGE
15 PART, DUE TO A FRIENDSHIP AND AN AFFILIATION
16 ASSOCIATION WITH THE SAME -- WITH THE SAME GANG,
17 WHICH IS THE PECKERWOODS.

18 THE COURT: I UNDERSTAND YOUR ARGUMENT, AND WITH
19 THE APPROPRIATE FOUNDATION, IT MAY BE THAT WE'RE IN
20 A SITUATION WHERE SOME REFERENCE TO THAT WOULD BE
21 ALLOWED.

22 MS. VANDENBOSCH, YOU MAY RECALL WHEN THIS
23 WAS LAST RAISED, I -- I INDICATED SOME SKEPTICISM
24 ABOUT THE ENTRY ON THAT MOST RECENT DOCUMENT. AND I
25 HAVE YET TO GO BACK AND TRY TO CREATE THIS -- THIS
26 THREAD. I EXPRESSED JUST A -- JUST A BELIEF THAT
27 THAT REFERENCE WAS ENTERED BY SOME C.Y.A. JUVENILE
28 OR JAIL CLERK OR OFFICER BASED UPON PREVIOUS

1 IT BEEN SO LONG AGO THAT YOU MAY NOT REMEMBER IT.

2 IN THE PRESENTATION OF EVIDENCE, THE
3 PARTIES CAN AGREE AMONG THEMSELVES THAT CERTAIN
4 THINGS BE TREATED AS A PROVEN FACT, WITHOUT A
5 WITNESS BEING CALLED TO TESTIFY TO A PARTICULAR
6 FACT. IT'S CALLED A STIPULATION, IN OTHER WORDS, AN
7 AGREEMENT THAT SOMETHING HAS BEEN PROVEN.

8 MS. VANDENBOSCH, ON BEHALF OF MR. ANDERSON,
9 IS GOING TO RECITE CERTAIN THINGS AT THIS TIME TO
10 YOU, AND THEN SHE IS GOING TO ASK IF MR. ROAKE
11 AGREES AND IF MR. MCALLISTER AGREES. AND IF THEY
12 DO, THEN YOU'RE TO TREAT THE STATEMENT BY THE
13 ATTORNEY AS A PROVEN FACT.

14 MS. VANDENBOSCH: YOUR HONOR, CAN I READ ALL OF
15 THEM AT ONCE AND THEN ASK?

16 THE COURT: SURE.

17 MS. VANDENBOSCH: LADIES AND GENTLEMEN, THE
18 PARTIES STIPULATE THAT, BASED ON RECORDS RECEIVED
19 FROM BODY BEAUTIFUL CAR WASH IN POWAY,
20 TRAVIS NORTHCUTT'S TERMINATION DATE OF EMPLOYMENT
21 WAS MARCH 10TH, 2003.

22 THE PARTIES ALSO STIPULATE THAT
23 TRAVIS NORTHCUTT IS CURRENTLY LIVING IN THE
24 SACRAMENTO AREA OF CALIFORNIA.

25 AND, LASTLY, THE PARTIES DO LIKEWISE
26 STIPULATE THAT COMPUTERIZED LAW ENFORCEMENT RECORDS
27 FOR THE WEEK PRECEDING APRIL 14TH, 2003, WERE
28 CHECKED, AND NO CRIME REPORTS WERE LOCATED THAT

1 ONE MINUTE OR LESS EXCEPT FOR ONE, WHICH IS TWO
2 MINUTES. THAT COULD BE AS LITTLE AS FOUR MINUTE
3 CALLS TO AS MUCH AS 16 MINUTE CALLS. VERY, VERY,
4 SHORT CALLS. NOT MUCH PLANNING YOU CAN DO IN THAT
5 SHORT OF TIME.

6 APRIL 11TH, WHICH IS THE CALL THAT
7 MR. MCALLISTER -- THE CALLS MADE FROM JIM STEVENS'
8 CELL PHONE, WHICH MR. MCALLISTER BROUGHT UP THROUGH
9 MR. STEVENS' TESTIMONY, AGAIN, ALL THESE CALLS, FIVE
10 SEPARATE CALLS IN THE EVENING HOURS, ALL FOR ONE
11 MINUTE OR LESS. COULD BE AS LITTLE AS ZERO SECONDS.
12 COULD BE A MAXIMUM OF FIVE MINUTES, TOPS.

13 THEN WE HAVE THE PHONE CALLS THAT WERE
14 ACTUALLY MADE, AND HERE I'M GOING TO REFER TO THE
15 EXHIBITS THAT MR. MCALLISTER USED, BECAUSE THE DAY
16 BEFORE APRIL 14TH, ON APRIL 13TH -- AND THIS IS A
17 GOOD INDICATION WHAT A ONE-MINUTE CALL MEANS -- ALL
18 THESE CALLS WERE LISTED ON THE PHONE BILL AS ONE
19 MINUTE.

20 WHAT YOU SEE WHEN YOU ACTUALLY GET THE MORE
21 SPECIFIC RECORDS IS THAT THESE CALLS IN THE MORNING
22 HOURS, TRYING TO GET IN TOUCH WITH BRANDON HANDSHOE,
23 ALL THESE CALLS ARE FOR ZERO SECONDS. THERE IS NOT
24 EVEN ANY CONTACT MADE.

25 ATTEMPTS TO CALL BRANDON HANDSHOE IN THE
26 MORNING, AGAIN, ANOTHER ATTEMPT AT 9:24, ALSO ZERO
27 SECONDS. 12:53, RIGHT AFTER LUNCH, ANOTHER ATTEMPT,
28 ZERO SECONDS.

1 THEN YOU HAVE HIM LATER IN THE AFTERNOON,
2 ERIC ANDERSON, TRYING TO CONTACT THE HANDSHOE HOME,
3 THE PERETTI HOME, AND THE HANDSHOE HOME AGAIN. AND
4 WHAT DO YOU HAVE HERE? A TOTAL OF SIX SECONDS TO
5 THE PERETTI HOME.

6 "IS APOLLO THERE? IS BRANDON THERE?"

7 "NO."

8 THEN YOU HAVE A TOTAL OF 75 SECONDS OF A
9 CALL TO BRANDON HANDSHOE. 75 SECONDS TO PLAN
10 SOMETHING THAT'S GOING TO GO DOWN THE FOLLOWING DAY?
11 THE PROSECUTION WANTED YOU TO THINK THAT THERE WERE
12 SO MANY CALLS AND THERE WAS ALL THIS PLANNING GOING
13 ON. BUT WHEN YOU ACTUALLY LOOK AT THE RECORDS, YOU
14 HAVE A TOTAL OF 75 SECONDS TO THE HANDSHOE HOME.

15 LADIES AND GENTLEMEN, I WANT TO GO HERE TO
16 ALSO TALK ABOUT THE CELL SITE LOCATION A LITTLE BIT,
17 RATHER THAN COMING BACK TO IT, BECAUSE WHAT YOU CAN
18 SEE FROM THESE -- THIS EXHIBIT IS INSTRUCTIVE FOR
19 ANOTHER REASON AS WELL.

20 IT'S CLEAR THAT BRANDON HANDSHOE IS NOT
21 ANSWERING HIS PHONE, PERHAPS BECAUSE HE'S NOT HOME.
22 YOU'LL RECALL THAT APRIL 13TH IS THE DAY THAT
23 BRANDON HANDSHOE CLAIMS HE AND ERIC ANDERSON WERE
24 OVER IN THE AREA OF MEDILL AVENUE ATTEMPTING ANOTHER
25 BURGLARY.

26 AND WHEN DID HE TELL YOU THAT WAS? IT WAS
27 IN THE AFTERNOON HOURS OF THE 13TH. HE AND ERIC
28 ANDERSON WERE IN THE AREA OF MEDILL AVENUE.

1 SHE SAY SHE MET HIM? AGAIN, SHE SAID SHE MET HIM ON
2 APRIL 13TH, THE DAY BEFORE, IN THE AFTERNOON, AT
3 BRANDON HANDSHOE'S HOUSE.

4 HE'S NOWHERE NEAR BRANDON HANDSHOE'S HOUSE
5 ON APRIL 13TH. HE IS IN THIS AREA OF TOWN. AGAIN,
6 NOT ONLY DO THESE CELL SITE LOCATIONS DISPROVE
7 BRANDON HANDSHOE'S TESTIMONY ABOUT BEING IN THE AREA
8 OF MEDILL AVENUE ON THE 13TH, THEY LIKEWISE DISPROVE
9 VALERIE PERETTI'S TESTIMONY ABOUT HER MEETING
10 ERIC ANDERSON THE DAY BEFORE, THE AFTERNOON BEFORE,
11 IN THIS AREA. THESE CELL SITE RECORDS DISPROVE BOTH
12 OF THEIR TESTIMONY.

13 LET'S GO TO THE CALLS ON THE 14TH. AGAIN,
14 WHAT DO YOU HAVE IN THE MORNING? I'M GOING TO
15 CONCENTRATE ON THE CALLS TO HANDSHOE AND OTHER CALLS
16 THAT WERE MADE IN BETWEEN.

17 YOU HAVE -- JUST AS HE WAS DOING THE DAY
18 BEFORE, YOU HAVE ERIC ANDERSON ATTEMPTING TO CONTACT
19 BRANDON HANDSHOE. YOU HAVE ZERO-SECOND CALLS. YOU
20 HAVE: AT 8:37, THERE IS A ZERO-SECOND CALL; AT
21 10:39, THERE IS A ZERO-SECOND CALL. AND THEN YOU
22 SEE CALLS IN BETWEEN TO OTHER FRIENDS WHO HAVE
23 ABSOLUTELY NOTHING TO DO WITH BRANDON HANDSHOE OR
24 APOLLO HUHN.

25 THEN YOU SEE A CALL -- AND I'M GOING TO GO
26 TO THE EXACT LOCATION OF THIS IN ANOTHER SLIDE,
27 IN -- A BIT LATER IN THE PRESENTATION, BUT THE ONLY
28 CALL HERE THAT IS IN THE LOCATION OF BRANDON

OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO

El Cajon
250 E. Main
El Cajon, CA 92020
(619) 441-4388
<http://www.sandiegocda.com>

BONNIE M. DUMANIS
DISTRICT ATTORNEY

MAY 11 2005

By: M. BODTKE, Deputy

Pursuant to the agreement set forth in this letter, it is the understanding of the District Attorney of San Diego County, the defendant BRANDON HANDSHOE, and the defendant's attorney W. ALLAN WILLIAMS, that the defendant will plead guilty to the crime of Voluntary Manslaughter (PC 192(a)) Attempted Residential Robbery (PC664/211/212.5) with the use of a firearm (PC 12022.53(b)) in the death of STEPHEN BRUCKER on April 14, 2003. The plea is an agreed upon set of lesser offenses to the crimes charged in Counts One and Two of the Amended Information.

The defendant also agrees to waive all appellate rights. The defendant also agrees that his recorded statement of April 11, 2005, will provide the factual basis for his stipulated plea.

The sentence will be set as follows:

PC 192(a) Voluntary Manslaughter Mid Term	6 years
PC 664.211/212.5 Attempted Residential Robbery	1 year (1/3 mid term)
PC 12022.53(b)	10 years
TOTAL TERM AT 85%	17 years

Defendant agrees that he will cooperate by providing information to law enforcement officers and by testifying in any and all proceeding relating to ERIC ANDERSON, APOLLO HUHNS and RANDY LEE, including but not limited to the April 14, 2003 murder of STEPHEN BRUCKER and any other criminal matter filed against the above-listed defendants.

On April 11, 2005 defendant gave a taped statement to investigators regarding his knowledge of the circumstances surrounding the attempted robbery/burglary and murder of STEPHEN BRUCKER. Defendant confirms that his statement is true and accurate as to his observations, his actions, and the actions of ERIC ANDERSON, APOLLO HUHNS and RANDY LEE. Defendant agrees to submit to subsequent interviews if deemed necessary.



AGREEMENT REGARDING THE INITIAL MEETING BETWEEN POTENTIAL COOPERATING INDIVIDUAL (PCI) AND PROSECUTION

FILED Clerk of the Superior Court MAY 11 2005 By: M. BCOTKE, Deputy

The purpose of the initial meeting between the Potential Cooperating Individual, BRANDON HANDSHOE, and the prosecution is to allow HANDSHOE to present information regarding his actions and the actions of others involved in crimes committed in 2003 including, but not limited to conspiracies to commit crimes and information regarding his association with his co-defendants.

The only promise made by the prosecution regarding the initial meeting is that statements made at this initial meeting by HANDSHOE will not be used against him in the prosecution's case in chief in any case prosecuted against HANDSHOE including the present charges pending in case number SCE230405/MAH630. However, HANDSHOE'S statements may be used as impeachment (and for its substantive value) should he testify inconsistently at any later hearing whether he is the defendant or another is the defendant. Further, any exculpatory statements regarding other charged defendants made by HANDSHOE must be turned over to the court and counsel.

In the event the prosecution chooses to have HANDSHOE begin cooperation, a second meeting will take place at which the final agreement between HANDSHOE and the prosecution will be signed. That agreement will specifically define the expectations and commitments of both sides. Since the purpose of the initial meeting is to evaluate the potential for cooperation, neither the prosecution nor HANDSHOE is obligated to agree to a cooperation contract at the end of the initial meeting.

There is no agreement or promise of any kind between the prosecution and HANDSHOE which is not set forth in this document. HANDSHOE is not entitled to any benefit or plea bargain, until and unless a second meeting and an Agreement to Cooperate is entered into by both parties.

4/11/05 DATE

Brandon Handshoe BRANDON HANDSHOE, DEFENDANT

4/11/05 DATE

W. Allan Williams ATTORNEY FOR MR. HANDSHOE W. ALLAN WILLIAMS, ESQ

4/11/05 DATE

GR McAllister DEPUTY DISTRICT ATTORNEY GLENN McALLISTER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

PEOPLE vs BRANDON HANDSHOE Defendant

MAY 11 2005

By: M. BODTKE, Deputy

PLEA OF GUILTY/NO CONTEST - FELONY

Court Number: SCF 230405

DA Number: MAH 630

I, the defendant in the above-entitled case, in support of my plea of Guilty/No Contest, personally declare as follows:

1. Of those charges now filed against me in this case, I plead GUILTY to the following offenses and admit the enhancements, allegations and prior convictions as follows: BH

COUNT	CHARGE	ENHANCEMENT/ALLEGATION
<u>1</u>	<u>PC 192(a) Volun. Manslaughter</u>	<u>PC 12022.5(b)(1)</u>
<u>2</u>	<u>PC 664/211/212.5/213</u>	<u>PC 12022.5(b)(1)</u>
PRIORS: (LIST ALLEGATION SECTION, CONVICTION DATE, COUNTY, CASE NUMBER, AND CHARGE)		

2. I have not been induced to enter this plea by any promise or representation of any kind, except: (State any agreement with the District Attorney.)

STIPULATED 17 YEARS STATE PRISON AT \$500.
I WILL TESTIFY AND TELL THE TRUTH IN THIS
CASE. SEE ADDENDUM. BH

3. I am entering my plea freely and voluntarily, without fear or threat to me or anyone closely related to me. BH

4. I understand that a plea of No Contest is the same as a plea of Guilty for all purposes. BH

5. I am sober and my judgment is not impaired. I have not consumed any drug, alcohol or narcotic within the past 24 hours. BH

CONSTITUTIONAL RIGHTS

6a. I understand that I have the right to be represented by a lawyer at all stages of the proceedings. I can hire my own lawyer or the Court will appoint a lawyer for me if I cannot afford one. BH

I understand that as to all charges, allegations and prior convictions filed against me I also have the following constitutional rights, which I now give up to enter my plea of guilty/no contest:

6b. I have the right to a speedy and public trial by jury. I now give up this right. BH

6c. I have the right to confront and cross-examine all the witnesses against me. I now give up this right. BH

6d. I have the right to remain silent (unless I choose to testify on my own behalf). I now give up this right. BH

6e. I have the right to present evidence in my behalf and to have the court subpoena my witnesses at no cost to me. I now give up this right. BH

1 BEFORE THEY CONDUCTED THE SEARCH ON APRIL 24th, THAT
2 THEY DID A COUPLE OF DRIVE-THROUGHS, AND ON BOTH
3 OCCASIONS THE BRONCO WAS PARKED IN PLAIN VIEW, IN
4 THE PARKING AREA OF THE CONDOMINIUM. NO ATTEMPT TO
5 HIDE THE BRONCO. NO CHANGE IN MR. ANDERSON'S
6 DEMEANOR. NO CHANGE IN HIS BEHAVIOR. HIS
7 GRANDMOTHER SAID HE APPEARED -- HE WAS BEHAVING
8 NORMALLY. SHE DIDN'T NOTICE ANYTHING DIFFERENT.
9 JEFF GARDNER SAID WHEN HE WORKED FOR HIM THE NEXT
10 DAY, HE WAS JUST REGULAR ERIC. JIM STEVENS DIDN'T
11 NOTICE ANY CHANGE OF BEHAVIOR. NO CHANGE IN
12 BEHAVIOR.

13 HE DID LEAVE ON APRIL 24th. I TOLD YOU I
14 WAS GOING TO PRESENT YOU WITH COMPELLING REASONS AS
15 TO WHY HE LEFT. I'VE PRESENTED YOU WITH THOSE
16 COMPELLING REASONS. HE WAS FACING A SENTENCE OF 25
17 TO LIFE FOR THINGS THAT HE KNEW WAS -- WERE IN HIS
18 APARTMENT.

19 LADIES AND GENTLEMEN, THE BOTTOM LINE IS
20 THAT ERIC ANDERSON DOES NOT FIT STEPHEN BRUCKER'S
21 DESCRIPTION OF THE SHOOTER. THE TEENAGE ACCOMPLICES
22 ARE NOT CREDIBLE. THERE IS NO PHYSICAL EVIDENCE TO
23 CORROBORATE THEIR VERSION OF EVENTS.

24 LADIES AND GENTLEMEN, LAW ENFORCEMENT WAS
25 DESPERATE FOR SUSPECTS. IT WAS A MONTH AFTER
26 MR. BRUCKER HAD BEEN KILLED. THE SUSPECTS THEY HAD
27 WERE NOT -- WERE NO LONGER SUSPECTS. THE CASE WAS
28 WIDE OPEN. SO WHAT HAPPENED? THE CASE WAS WIDE

1 A. APRIL 2003?

2 Q. 2003. I'M SORRY.

3 A. NO, MA'AM, THERE WAS NO ALARM ACTIVITY AT
4 ALL DURING THAT MONTH.

5 Q. INCLUDING THE FIRST HALF OF THE MONTH?

6 A. INCLUDING -- YES, MA'AM, THE ENTIRE MONTH.

7 MS. VANDENBOSCH: I HAVE NO FURTHER QUESTIONS,
8 THANK YOU.

9 THE COURT: MR. MCALLISTER.

10

11

CROSS-EXAMINATION

12

BY MR. MCALLISTER:

13

Q. MORNING, SIR.

14

A. MORNING.

15

Q. THE ALARM SIGNAL THAT IS SENT TO YOUR
16 COMPANY FOR MONITORING, HOW IS THAT ACCOMPLISHED?

17

A. THERE IS AN ELECTRONIC DEVICE INSIDE THE
18 PREMISES THAT, WHEN TRIGGERED, SEIZES THE TELEPHONE
19 LINE, MAKES A TELEPHONE CALL TO THE CENTRAL STATION
20 COMPUTER, AND IT TRANSMITS ELECTRONIC DATA.

21

Q. SO IF FOR ANY REASON THE TELEPHONE LINE
22 WASN'T WORKING, OR THERE WAS A PROBLEM LIKE THAT,
23 COULD THERE BE AN AUDIBLE ALARM, BUT NOT A
24 TRANSMITTED ALARM TO YOUR COMPANY?

25

A. YES, SIR.

26

Q. AND ABOUT -- I'M TALKING THE GENERAL AREA
27 OF THIS ADDRESS THAT YOU'VE BEEN ASKED ABOUT,
28 MEDILL. DO YOU HAVE OTHER ACCOUNTS IN THAT SAME