

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 131 HON. LESLIE A. SWAIN, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
PLAINTIFF, )

VS. ) NO. BA417570

MARK WEINGARTEN AND )  
VANESSA ULATE, )  
DEFENDANTS. )

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
DECEMBER 11, 2014

APPEARANCES:

FOR THE PEOPLE: JACKIE LACEY, DISTRICT ATTORNEY  
BY: CASEY HIGGINS, DEPUTY  
18000 FOLTZ CRIMINAL JUSTICE CENTER  
210 WEST TEMPLE STREET, 18TH FLOOR  
LOS ANGELES, CALIFORNIA 90012

FOR DEFENDANTS: RONALD RICHARDS  
ATTORNEY AT LAW  
P.O. BOX 11480  
BEVERLY HILLS, CA 90213

 ORIGINAL

MARY J. DAVIS, CSR NO. 7595  
OFFICIAL REPORTER

1 CASE NUMBER: BA417570  
2 CASE NAME: PEOPLE VS. MARK WEINGARTEN  
3 AND VANESSA ULATE  
4 LOS ANGELES, CA THURSDAY, DECEMBER 11, 2014  
5 DEPARTMENT 131 HON. LESLIE A. SWAIN, JUDGE  
6 REPORTER: MARY J. DAVIS, CSR NO. 7595  
7 TIME: A.M. SESSION

8 APPEARANCES:

9 DEFENDANTS MARK WEINGARTEN AND VANESSA  
10 ULATE, PRESENT WITH COUNSEL, RONALD RICHARDS,  
11 ATTORNEY AT LAW; CASEY HIGGINS, DEPUTY DISTRICT  
12 ATTORNEY, REPRESENTING THE PEOPLE OF THE STATE OF  
13 CALIFORNIA.

14  
15 THE COURT: CALLING NUMBER 3 ON THE CALENDAR, THE  
16 CASE AGAINST MARK WEINGARTEN AND MS. ULATE.

17 MR. RICHARDS: GOOD MORNING, YOUR HONOR. NICE TO  
18 SEE YOU THIS MORNING.

19 THE COURT: NICE TO SEE YOU, TOO.

20 MR. RICHARDS: RONALD RICHARD, APPEARING FOR MARK  
21 WEINGARTEN AND STANDING IN FOR MARTIN GODINE ON THAT  
22 MATTER AND ALSO STANDING IN FOR CRAIG STURM FOR MISS  
23 VANESSA ULATE.

24 THE COURT: THIS IS CASE BA417570.

25 MR. HIGGINS: YOUR HONOR, CASEY HIGGINS FOR THE  
26 PEOPLE, STANDING IN FOR MR. LOCKFIELD FOR THE MORNING.

27 THE COURT: GOOD MORNING.

28 MR. HIGGINS: GOOD MORNING, YOUR HONOR.

1 MR. RICHARDS: THE PEOPLE INDICATED TO ME, YOUR  
2 HONOR, BEFORE YOU CALLED THE CASE THAT THEY WOULD BE  
3 UNABLE TO PROCEED IN THIS MATTER.

4 THE COURT: MR. HIGGINS, IS THAT CORRECT?

5 MR. HIGGINS: THAT'S THE NOTE I HAVE FROM  
6 MR. LOCKFIELD THAT HE SPOKE WITH HIS HEAD DEPUTY MISS  
7 LIDAMORE. THAT'S OUR POSITION AT THIS STATE. I DON'T  
8 KNOW IF THAT FORECLOSES ANY POSSIBILITIES OF A  
9 RE-FILING, BUT I HAVEN'T RECEIVED ANY INFORMATION OF A  
10 RE-FILING.

11 THE COURT: I DON'T THINK IT DOES. IS THERE A  
12 MOTION TO DISMISS UNDER 1385?

13 MR. RICHARDS: BEFORE THAT, I WANT TO MAKE A  
14 MOTION UNDER PENAL CODE 1388 TO HAVE THE DEFENDANTS  
15 RELEASED ON THEIR OWN RECOGNIZANCE. SO, IN THE EVENT,  
16 IF THERE IS A RE-FILING I'LL GET A LETTER AND THEN I CAN  
17 HAVE THEM COME INTO COURT. THEY'VE BEEN ON THIS CASE  
18 FOR A LONG TIME. IT WOULD BE VERY EXPENSIVE IF THEY HAD  
19 TO RE-POST BOND SOMETIME IN THE FUTURE.

20 THE COURT: I'M GOING TO LEAVE THE BAIL UP FOR  
21 15 DAYS AND THEN IT WILL BE EXONERATED.

22 MR. RICHARDS: WELL, SEE, THIS IS THE THING, LET  
23 ME EXPLAIN WHAT THE ISSUE IS. IF THEY'RE NOT O.R.'D  
24 BEFORE THE CASE IS DISMISSED UNDER 1388, THEN THEY'RE  
25 NOT ENTITLED TO BE O.R. ON THE RE-FILING. IS THERE A  
26 WAY WE CAN MAKE THE O.R. CONDITIONAL THAT IF THERE'S NO  
27 RE-FILING WITHIN THE 15 DAYS, THEN THE O.R. -- THEY  
28 WOULD BE O.R. BEFORE YOU DISMISS THE CASE?

1 THE COURT: NO.

2 MR. RICHARDS: NO? ALL RIGHT.

3 THE COURT: IS THERE A MOTION TO DISMISS?

4 MR. RICHARDS: YES. I'M GOING TO MOVE TO DISMISS  
5 BASED ON THE PEOPLE'S REPRESENTATION.

6 THE COURT: OKAY. THE MOTION IS GRANTED. BAIL IS  
7 TO STAND FOR 15 DAYS.

8 MR. RICHARDS: OKAY. THANK YOU.

9 THE COURT: GOOD LUCK TO YOU.

10 MS. ULATE: THANK YOU, YOUR HONOR.

11

12 (END OF PROCEEDINGS.)

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 131

HON. LESLIE A. SWAIN, JUDGE

THE PEOPLE OF THE STATE OF,  
CALIFORNIA,

PLAINTIFF,

VS.

MARK WEINGARTEN AND  
VANESSA ULATE,

DEFENDANTS.

NO. BA417570

REPORTER'S  
CERTIFICATE

I, MARY J. DAVIS, OFFICIAL REPORTER OF THE  
SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE  
COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT I DID  
CORRECTLY REPORT THE PROCEEDINGS CONTAINED HEREIN AND  
THAT THE FOREGOING PAGES 1 THROUGH 3, INCLUSIVE,  
COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE  
PROCEEDINGS AND TESTIMONY TAKEN IN THE MATTER OF THE  
ABOVE-ENTITLED CAUSE ON DECEMBER 11, 2014.

DATED THIS 12TH DAY OF DECEMBER, 2014.

  
\_\_\_\_\_  
MARY J. DAVIS, CSR NO. 7595  
OFFICIAL REPORTER