

February 1, 2002

MURDER CHARGES DISMISSED, AGAIN, AGAINST SAMUEL OSEGUEDA

(Los Angeles, California)

After being sent out to trial on January 31, 2002, the court dismissed the one count information (BA223982) with enhancements against the defendant today after a defense motion to dismiss pursuant to Penal Code section 1382.

The case was previously dismissed on November 1, 2001. The defendant was re-arrested and the court appointed Mr. Richards to represent the indigent defendant. Mr. Richards took the first case pro bono. John Lord, an associate in the firm, also took part in the defense.

Mr. Osegueda has been in custody since April 28, 2001. The case hinged upon an identification from a rival 38th St. gang member and a prostitute with 10 prior convictions for prostitution and solicitation.

The defense forced a line up over the D.A.'s shameful objection where the prostitute failed to identify the defendant. The prostitute had previously placed the defendant at the crime scene via a suggestive six pack but did not witness the murder.

The other alleged participant who initially failed a lie detector test and provided inculpatory information against the defendant changed his testimony midstream at the preliminary hearing after being subjected to vigorous cross examination. The witness said the investigating officers threatened to take away his daughter and to blame him for the murder. Also, the defense uncovered information that this witness is a suspect in a violent assault.

This is the SIXTH murder case in the last 36 months that Mr. Richards has successfully obtained a dismissal, before the case going to the jury.

On behalf of the firm, we wish and congratulate the Osegueda family for their hard fought victory today. Their attendance at every hearing was an asset. The firm is very happy for this important victory and thanks everyone who provided assistance in this matter including but not limited to Dana Cole, Esq., Dr. Thomas Mac Speiden, E. Christine Hehir, Esq., and others.

The District Attorneys' office indicated on the record today that they do not plan on re-filing any additional or further charges at this time.

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