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FILED
YOLO SUPERIOR COURT

DEC 16 2025

BY

DEPUTY

6
7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **COUNTY OF YOLO**

9 THE PEOPLE OF THE STATE OF
CALIFORNIA,

10 Plaintiff,

11 vs.
12

13 CARLOS REALES DOMINGUEZ,
14 Defendants.
15

Case No.: 23-1391

**PEOPLE'S WRITTEN VERIFIED
STATEMENT OBJECTING TO
TRIAL BEFORE JUDGE MCADAM
PURSUANT TO CALIFORNIA CODE
OF CIVIL PROCEDURE 170.3(c)(1)**

Date: December 18, 2025
Time: 1:30 p.m.
Dept.: 14

16 **TO: THE HONORABLE SAMUEL T. MCADAM, JUDGE OF THE SUPERIOR**
17 **COURT, DANIEL HUTCHINSON, ATTORNEY FOR THE DEFENDANT AND THE**
18 **CLERK OF THE ABOVE ENTITLED COURT.**

19 Please take notice that on December 18, 2025 at 9:00 a.m., in Department 14, the People
20 will move for the Court to recuse itself pursuant to Code of Civil Procedure sections 170.1 and
21 170.3(c)(1) This motion will be based upon this Memorandum of Points and Authorities,
22 Declaration of Counsel, the People are filing this written verified statement objecting to any jury
23 trial in this matter before Judge McAdam. The facts constituting grounds for disqualification of

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PEOPLE'S WRITTEN VERIFIED STATEMENT OBJECTING TO TRIAL BEFORE JUDGE MCADAM PURSUANT TO
CALIFORNIA CODE OF CIVIL PROCEDURE 170.3


1 Judge McAdam are set forth herein. (*See also*, Exhibit A; Declaration by Melinda Aiello.)

2 Dated: December 16, 2025

Respectfully submitted,

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4 JEFF REISIG
District Attorney of Yolo County

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6 By:


7 MELINDA D. AIELLO #187980
Chief Deputy District Attorney

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DECLARATION

I, Melinda Aiello, hereby declare and state as follows:

1. I am an attorney at law, licensed to practice before all courts in the state of California. I am the Chief Deputy District Attorney in Yolo County. I am familiar with this case due to being involved in numerous discussions about the case as well as having viewed hearings and portions of both the competency trial and the first jury trial.
2. I have been a prosecutor for over 28 years. Over the course of my career, I have tried between 65 and 70 cases, including two homicides. I have practiced in three different counties and conservatively estimate that I have appeared before no less than 40 different judicial officers.
3. As such, I can get a sense of whether a judge is impartial or not. This can be specific to a case or an attorney or an office.
4. Since the early days of the pendency of *People vs. Dominguez*, the office had concerns about Judge McAdam and whether he would be impartial. We had taken the extraordinary step of disqualifying Judge McAdam in every case beginning November of 2023 until Judge McAdam's reassignment in May of 2024.
5. The decision to blanket disqualify a judge was a long time coming and not entered lightly. It was not based on one decision or ruling.
6. I have reason to believe that no judge ever wants their impartiality questioned. Judges are expected to act impartially and must recuse themselves under certain circumstances. I have reason to believe that a blanket disqualification of a judge would not be well received by the individual judge or a courthouse in its entirety. The People had a legitimate concern there would be some form of retaliation.

- 1 7. The People believe the court has retaliated against us in the way it has handled the 170.6
2 challenges filed by the defense and the Prosecution. (*See* Section III, paragraph D.)
- 3 8. The murders committed by Carlos Dominguez shocked the city of Davis including the
4 University of California at Davis. It is not an exaggeration to say the city was gripped
5 with fear. The cause generated considerable publicity in and around the Sacramento area.
- 6 9. I am informed and believe that during a law school class taught by Judge McAdam that
7 he bragged to his students that he was presiding over this case, and read an article from
8 the Sacramento Bee that discussed the case.
- 9 10. A mental health defense was not unexpected. The approach to the anticipated defense
10 was the subject of many, many conversations.
- 11 11. There are several facts that are raised in this petition that go back to earlier stages of the
12 case. All of them raise doubt as to Judge McAdam's impartiality but it was the last two
13 appearances that I became convinced that his lack of impartiality in this case puts at risk
14 the ability of the People to get a fair retrial in this case.
- 15 12. I believe the court has interfered with the People's right to present evidence, challenge
16 testimony, and has inquired into our deliberative thought processes. The court would not
17 do the same to a defense attorney. The court has suggested to the defense motions to be
18 filed or arguments to be made. The court would not do the same for a prosecutor.
- 19 13. Included in this motion is a postcard received from an unidentified citizen who watch
20 portions of the trial. This citizen felt compelled to send this postcard expressing his or
21 her observations and the lack of impartiality towards the prosecutors.
- 22 14. I personally watched most if not all of the November 20, 2025 hearing. While I have been
23 concerned about the Judge's previous conduct, I was shocked at how blatant and obvious

1 the court was in expressing his disagreement with our approach to the first trial, the
2 vouching for the court appointed and defense experts, the questioning as to our trial
3 strategies and his concern about the upcoming trial date, along with his assertion that
4 motions would need to be filed and heard.
5

6 15. A defense attorney would never be required to state in open court strategy decisions.

7 16. The filing of a motion to disqualify a judge is a rare occurrence, but in light of the
8 severity of the charges, the responsibility the People have in seeking justice, and the
9 court's contempt for the People, now on full display, the People file the instant motion.
10

11 17. The motion has been prepared with as much diligence as possible in gathering exhibits,
12 ordering transcripts, reviewing transcripts, and taking steps to serve Judge McAdam as
13 required by law.

14 18. Based upon the court's dark calendar, Judge McAdam was unavailable from
15 November 27, 2025 until December 15, 2025.
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17
18 I declare under penalty of perjury that the forgoing is true and correct; executed at Woodland,
19 California, on December 16, 2025.

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21 By: 
22 MELINDA AIELLO / 187980
23 Chief Assistant District Attorney
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1 Defendant was apprehended on May 3, 2025 after being sighted in Sycamore Park.

2 On May 5, 2023, the People filed a complaint charging two counts of murder and one
3 count of attempted murder.

4 **POINTS AND AUTHORITIES**

5 **I.**

6 **PENAL CODE SECTIONS 170.1 AND 170.3 MANDATE DISQUALIFICATION OF**
7 **JUDGE MCADAM**

8 California Code of Civil Procedure 170.1(a)(6)(A)(iii) requires disqualification of a judge
9 when “a person aware of the facts might reasonably entertain a doubt that the judge would be
10 able to be impartial.” The test is whether a reasonable member of the public at large, aware of all
11 the facts, would fairly entertain doubts as to the judge’s impartiality. (*Wechsler v. Superior Court*
12 (2014) 224 Cal.App.4th 384, 390.)

13 Disqualification is required when “a person aware of the facts might reasonably
14 entertain a doubt that the judge would be able to be impartial.” The test is objective, not a
15 question of actual bias. (Citing *People v. Chapman* (2006) Cal.4th 344, 363.)

16 “‘Impartiality’ entails the ‘absence of bias or prejudice in favor of, or against, particular
17 parties or classes of parties, as well as maintenance of an open mind.’” (*Haworth v. Superior*
18 *Court* (2010) 50 Cal.4th 372, 389. Moreover, the reasonable person must be viewed from the
19 perspective of the reasonable layperson, “someone outside the judicial system,” because “judicial
20 insiders, ‘accustomed to the process of dispassionate decision making and keenly aware of their
21 Constitutional and ethical obligations to decide matters solely on the merits, may regard asserted
22 conflicts to be more innocuous than an outsider would.’” (*In re Kensington International,*
23 *Limited* (3rd Cir.2004) 268 F.3d 289, 303.)

24 The California Code of Judicial Ethics instructs judges to all times act in a manner that
25 promotes public confidence in the integrity of and impartiality of the judiciary. (See Cal. Code of
26 Judicial Ethics, Canon 2). Specifically, judges “...shall not make statements, whether public or
27 nonpublic, that commit the judge with respect to cases, controversies or issues that are likely to
28 come before the courts or that are inconsistent with the impartial performance of the adjudicative

1 duties of the judicial office.” (*Id.*) The Code of Judicial Ethics mirrors the Code of Civil
2 Procedure’s section on disqualifications of judicial officers by using the same test for the
3 appearance of impropriety, which is whether a person aware of the facts might reasonably
4 entertain a doubt that the judge would be able to act with integrity, impartiality, and competence.

5 In this case, a reasonable person would likely conclude that Judge McAdam abandoned
6 his role as a neutral arbiter in this case, instead became an advocate by vouching for the retained
7 and appointed experts, criticizing the People’s theory and presentation of evidence, denying the
8 People due process by limiting cross examination, and excluding evidence. Judge McAdam has
9 excluded evidence without a motion denying the People due process, applied an altered standard
10 to the cross examination of court-appointed experts, attempted to create new law on the use of
11 the 170.6 challenges, has publicly endorsed a news article containing the facts of this case, has
12 made the unprecedented ruling of denying an unopposed request for a continuance, has limited
13 the cross examination of court appointed experts, has bolstered psychological testimony before a
14 jury while chastising the People in front of the jury for attempting to challenge the validity of
15 that evidence, which was to the point that a member of the public felt the need to write in about
16 his conduct, has refused to take any measures to prevent his biased comments from being heard
17 by the jury, has made questionable rulings to exclude evidence that would contradict the court
18 appointed experts, has been callous to the family of victims in the courtroom, has allowed for the
19 mistreatment of an attorney in his courtroom, has embroiled himself into the very charges
20 presented in the case, has now taken steps to prevent the People from gathering evidence that
21 might go against the opinion of the court appointed doctors, and has suggested that the Defense
22 file a motion to exclude evidence of the People’s theory of the case.

23 While one or even two of these actions could be viewed or considered as misjudgment or
24 an honest attempt to follow standards, the overwhelming cumulative effect is undeniable. Not
25 only might a person aware of the facts reasonably entertain a doubt that the Judge McAdam
26 would be able to be impartial, but Judge McAdam has also affirmatively demonstrated that he
27 cannot be impartial here, where there is an obvious pattern of bias against the People, in a case
28 where there is a challenge to court appointed mental health experts by the People. It is from the

lens of these actions that form the foundation of this motion for disqualification arising from the hearing held on October 16, 2025 and November 20, 2025 that show the appearance of a lack of impartiality by the court.

II.

COURTS ARE NOT PERMITTED TO VOUCH FOR WITNESSES, EVEN COURT-APPOINTED EXPERTS.

A factual matter is not settled simply because one or more experts agree on the issue. However here, Judge McAdam has consistently ruled against any evidence or procedure that would contradict the court appointed experts and has gone so far as to say, loudly in front of the trial jury, that the issue of expert testimony on psychiatry was "settled."

Vouching for and protection of experts is not only bias, but also contrary to the law. The jury is not required to accept at face value a unanimity of expert opinion: "To hold otherwise would be in effect to substitute a trial by 'experts' for a trial by jury" (*People v. Wolff* (1964) 61 Cal.2d 795, 811.) Juries are free to reject expert witness testimony findings of insanity and jury verdicts of legal sanity have been upheld despite the unanimous expert medical testimony that the defendant was suffering from schizophrenia (e.g., *People v. Dennis* (1960) *supra*, 177 Cal.App.2d 655, 660, and cases there cited) and was insane at the time of the offense of which he was convicted. (*People v. Fraters* (1956) *supra*, 146 Cal.App.2d 305, 306; *People v. Harmon* (1952) 110 Cal.App.2d 545, 553; *People v. Darling* (1951) 107 Cal.App.2d 635, 641; *People v. Martin* (1948) 87 Cal.App.2d 581, 588-589; *People v. Denningham* (1947) 82 Cal.App.2d 1117, 119-120; *People v. Babcock* (1943) 57 Cal.App.2d 54, 55-58.)

The chief value of an expert's testimony in this field, as in all other fields, rests upon the material from which his opinion is fashioned and the reasoning by which he progresses from his material to his conclusion." (*People v. Bassett* (1968) 69 Cal.2d 122, 141.)

The issue of the experts' opinion, and how much weight to give them, is a matter for the jury to decide. However, Judge McAdam has consistently ruled in the case in a manner that goes

1 against the People's right to contest the evidence and the Jury's duty to serve as the decider of
2 fact.

3 **III.**

4 **EVIDENCE OF THE COURT'S LACK OF IMPARTIALITY AND REASONS FOR**
5 **DISQUALIFICATION**

6 **A. Judge McAdam's Exclusion of Evidence on Court's Own Motion Without a**
7 **Hearing**

8 During a 1368 review hearing on June 20, 2023 the Defendant, without any prompting
9 stated "Your honor, I want to apologize and say I'm guilty and to forgive me." The statement
10 was captured by the court reporter and by a news crew that was filming the proceeding.

11 Before the People or the Defense spoke, Judge McAdam stated:

12 Hold on, sir. You have a Fifth Amendment right. Criminal
13 proceedings have been suspended. Nothing he says during the
14 process of a suspended criminal proceeding shall be used against
him and it has no bearing on these matters.

15 (Exhibit B; Reporters Transcript, June 20, 2023, at p. 3:18-24.)

16 Judge McAdam demonstrated that he was not impartial when he excluded this evidence,
17 without any motion or a hearing, and when he did not allow any opportunity to either party to
18 provide law or argument before announcing that the Defendant's spontaneous statement was
19 inadmissible.
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21 **B. Judge McAdam's Standard For Cross-Examining Court Appointed Experts**
22 **During the Competency Trial**

23 During the competency trial, the People filed a motion seeking to admit the Defendant's
24 June 20, 2023 statement, since the court had excluded the statement on its own motion.
25 Specifically, the People wished to use the statement to impeach the testimony of the court
26 appointed Psychologist, Dr. Juliana Rohrer. During her testimony, Dr. Rohrer indicated that
27 when the Defendant spoke, he spoke with his hair in front of his eyes, without making eye
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1 contact, with short answers, and in a monotone voice. (Exhibit C; Competency Hearing TX,
2 628:11 – 632:26.)

3 During a hearing conducted pursuant to Evidence Code section 802, Dr. Rohrer was
4 confronted with the recording of Defendant's June 20, 2023 statement, which she had not
5 reviewed before forming her opinion. In the recording of Defendant's statement, he spoke
6 without hair in front of his eyes, made eye contact with the Judge, gave a multi word answer,
7 and was not speaking in a monotone voice.

8 During the 802 hearing, during the prosecutor's cross-examination of Dr. Rohrer,
9 without any objection by opposing counsel, Judge McAdam indicated that a different standard
10 should be applied to the cross-examination of Dr. Rohrer because she was court appointed.
11 Judge McAdam stated:

12 Wait. Hold on, Mr. Van der Hoek. She's a court-appointed expert.
13 Pay your respect to her. This isn't somebody you get to attack. All
14 right? She's allowed to expand on her answers, Counsel. So settle
15 down.

16 (Exhibit C; Competency Hearing TX at 633:15-27.) At the conclusion of the 802 hearing, Judge
17 McAdam ruled that the People could not introduce this statement, even though it contradicted
18 Dr. Rohrer.

19 **C. History of 170.6 Challenges against Judge McAdam**

20 In 2023, Judge McAdam was assigned to a criminal department. Beginning on or about
21 November 13, 2023, the People took the extraordinary step of exercising a challenge pursuant
22 to Penal Code section 170.6 in all cases assigned to Judge McAdam. This blanket
23 disqualification led to the reassignment of Judge McAdam to a civil department in May of
24 2024. (Exhibit D.) Judge McAdam elected to keep several cases including the instant matter
25 after his change of assignment.

26 **D. Disparate Reassignment of cases with 170.6 challenges to Judge McAdam**

27 Between December 2024 and April 30, 2024, the People filed no less than 28 honored
28 challenges pursuant to Code of Civil Procedure 170.6 against judges the other judges assigned

1 to a criminal department. (Exhibit E; List of Challenges by the People.) Every one of those
2 cases were assigned to Judge McAdam.

3 The court's handling of the 170.6 challenges exercised by the People was in stark
4 contrast to the handling of 170.6 challenges exercised by the Public Defender's Office. During
5 the same period the Public Defender made no less than 29 honored challenges pursuant to Code
6 of Civil Procedure 170.6, against judges other than Judge McAdam. (Exhibit F; List of
7 Challenges by the defense.) Not one of those cases was reassigned to Judge McAdam but
8 instead to the other three criminal departments.

9 The message from the courthouse was this: Cases with a 170.6 challenge by the public
10 defender's office would receive a random reassignment to the three criminal judges. Any 170.6
11 challenge by the People would result in the case being reassigned to Judge McAdam. This clear
12 pattern was a message from the court was a clear indicator that even the court recognized the
13 People would receive different treatment from Judge McAdam and was to serve as a warning to
14 stop making 170.6 challenges.

15 The People recognize that Judge McAdam is likely not directly responsible for the
16 assignment of cases. However, this clear pattern cannot be explained away as a coincidence.
17 This is a proper demonstration of bias under Code of Civil Procedure 170.3, since these re-
18 assignments occur behind closed courtroom doors, away from the public and following the
19 proper perspective, the perspective of the reasonable layperson, "someone outside the judicial
20 system" it is clear that these reassignments were made due to a bias against the People.

21 This is highlighted by the fact that at the time of these disparate assignments, Judge
22 McAdam was not serving on a criminal assignment. Of the six judges in the Yolo County
23 Courthouse not serving on criminal dockets, these cases were only assigned to Judge McAdam,
24 and only when a 170.6 challenge was exercised by the People. Not only could "someone outside
25 the judicial system" see that there was bias, but even those acutely aware of what had been
26 taking place in the judicial system could see that Judge McAdam's courtroom was serving as a
27 message to the People on the use of 170.6 challenges.

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1 **E. Judge McAdam's comments on 170.6 challenges**

2 The matter of *People v. Justin Dlalio* was assigned to Judge McAdam after the People
3 exercised a 170.6 challenge. (Yolo County Superior Court Case number 25-1543) Counsel for
4 defendant filed a motion objecting to the People's peremptory challenge. In a written ruling,
5 Judge McAdam attempted to create a new point of law on the use of 170.6 challenges,
6 demonstrating a bias against the People. (Exhibit G; Opinion dated July 3, 2025)

7 In the opinion, Judge McAdam railed against the People's use of 170.6 challenges,
8 claiming that incorrect rulings by a judge were an insufficient basis for a 170.6 challenge. Judge
9 McAdam attempted to create a point of law that the People could not file a 170.6 challenge
10 based on a good faith belief that the judge was biased, but that instead there must be a good
11 faith belief that disqualification would be *required* under Code of Civil Procedure 170.3.

12 This ruling by Judge McAdam was a thinly veiled complaint against the challenges that
13 had been used against himself which was not required for the court to reach its ruling. This
14 commentary was not required to reach the ruling he made and was clearly inserted as a
15 challenge to, and as an attempt to limit, the People's use of 170.6 challenges against judges such
16 as himself.

17 **F. Judge McAdam's ex-parte discussion of the case and public recitation of a news**
18 **report of the case**

19 In the Spring of 2024, while the 170.6 challenges were in progress against Judge
20 McAdam, Judge McAdam was working as a professor for the UC Davis School of law, teaching
21 a class titled "Mental Health Law." (Exhibit H.) In that course the assigned textbook was "The
22 Criminalization of Mental Illness, Crisis and Opportunity for the Justice System."

23 During a lecture in the course, Judge McAdam bragged to his class that he was presiding
24 over this case by reading a Sacramento Bee article that had been written about this case. Judge
25 McAdam read the entire article¹ aloud to the students in the class.

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¹ The People do not know the date of the article.

1 **G. Judge McAdam's Unprecedented Denial of a Continuance**

2 In April of 2025, the People were addressing emerging items of evidence, each of which
3 would need to be presented to the experts in the case.

4 The People filed a written motion to continue, and the defense filed a written objection.
5 A major point in the motion to continue was that the People were requesting time to finish
6 processing the evidence, and to then present the evidence to the experts in the case to determine
7 how it affected their opinion.

8 At trial readiness conference on April 8, 2025, the court questioned the need for a
9 continuance and directed the parties to meet and confer.

10 The parties returned to court on April 15, 2025, and the defense indicated that it was
11 hiring an expert witness to review the new evidence and that the defense would not have a
12 report by the start of trial. The Defense, having initially opposed the motion to continue,
13 withdrew their objection to the continuance.

14 Despite emerging evidence, in a time waived case, and no opposition to the request for a
15 continuance, Judge McAdam denied the request for a continuance.²

16 This ruling is without parallel in Yolo County. The People cannot recall any other
17 criminal case where a court has denied an unopposed request for a continuance in a time waived
18 case, let alone in a case where new witnesses were emerging and/or expert witness opinions
19 were pending.

20 **H. Judge McAdam's Limitation of Cross-Examination of Court Appointed Experts**
21 **and Commentary on Psychiatry in Front of the Jury**

22 During the guilt phase of the jury trial, the People were cross-examining Dr. Wiener, a
23 court appointed expert to address the question of sanity, called by the defense. During the cross-
24 examination, the People inquired about the acceptance of forensic psychology and how it had
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28 ² This becomes especially relevant later, as on November 20, 2025, Judge McAdam ruled that the People should
have filed their 1054.3 motion before the first trial, when in reality the People did not have the experts' final
opinions until trial had already begun, entirely as a result of Judge McAdam's refusal to grant the uncontested
request for a continuance.

1 detractors. The People asked: "In fact, there are some psychiatrists that don't believe that
2 forensic psychology should be a field at all, correct?"

3 As the witness was responding, without any objection by the defense, Judge McAdam
4 interrupted the witness and called the attorneys to sidebar. (Exhibit I; Trial Transcript, p.
5 3081:1-12.) At the sidebar Judge McAdam began to berate the prosecution, within clear earshot
6 and eyesight of the entire courtroom, including the jury, in a loud voice that could be heard
7 throughout the courtroom.

8 Judge McAdam began vouching for the testimony, stating rhetorically "What are you
9 doing?" and went on about how these were court appointed experts and that the use of court
10 appointed experts was something that had been authorized by the legislature and was settled.
11 Judge McAdam stated that this was settled, stated "What are you doing, why are you
12 challenging court appointed experts" and that he was "trying to help you guys." Judge McAdam
13 loudly commented that the prosecution was "not even" bringing in their own expert witness on
14 mental health. This was all done with the jury in the courtroom and was so loud that the parents
15 of one of the victims, who were all the way in the gallery of the courtroom, could hear what
16 Judge McAdam was saying. (See Exhibit J; Declaration by Majdi Abu Najm, father of one of
17 the homicide victims in this case.)

18 The court later made some record of this sidebar. Judge McAdam stated on the record
19 "what I did, in admonishing the Prosecution, is that this was a Court-doctor pursuant to a
20 statute. So forensic science is the state of the law in California, passed by the California
21 Legislature. It's been on the books for decades, and the witness is a Court-appointed doctor.
22 And so, third, the prosecution has no doctor to come in and question the merits of forensic
23 evaluations in psychiatry." Judge McAdam went on the express that the prosecutions' cross-
24 examination on that topic should be limited to the cautionary statement within the DSM-V.
25 (Exhibit I; Trial Transcript at pp. 3085:7-3086:28.)

26 The People made the record that evidence related to psychiatry was not scientific
27 evidence that met the Kelly-Frye standard and that there was actual controversy about such
28 evidence. (Exhibit I; Trial Transcript at pp. 3087:19-3088:9.)

1 **I. Judge McAdam's failure to take precautions from the jury hearing his comments.**

2 The People also objected to Judge McAdam's failure to prevent his statements about the
3 evidence being heard by the jury, such as, for instance, by using the white noise system that
4 every courtroom in Yolo County is equipped with. The prosecution stated "I think that if there's
5 going to be these kind of side bar discussions, that there perhaps should be white noise played
6 or something. Because there was a louder discussion held at sidebar, it seemed to be audible
7 throughout the courtroom, and it -- I think it's really detrimental for the parties to be in that
8 situation where we have to be at side bar where jurors can hear what is being said and that is the
9 topic of discussion." (Exhibit I; Trial Transcript at p. 3088:1-9.)

10 For the remainder of the trial, Judge McAdam would still not play white noise during
11 bench side conferences, despite the court being equipped with a white noise system that could
12 be activated with the press of a single button. Even when the court clerk asked Judge McAdam
13 about the white noise for a bench side discussion, Judge McAdam affirmatively instructed the
14 clerk to not play the white noise that could prevent contamination of the jury. (Exhibit K;
15 Declaration by DDA Frits van der Hoek)

16 **J. Judge McAdam's Shielding of the Court Appointed Experts from Rebuttal**

17 **Evidence showing the THC Evidence experts had not considered**

18 As describe above, Judge McAdam severely affected the People's ability to cross
19 examine the court appointed experts on the scientific value of psychiatric testimony and of the
20 criticisms and missteps that field has had.

21 Both court appointed experts had severe gaps in their analysis as it related to the level
22 that the Defendant was under the influence of THC and how THC may have affected his
23 behavior.

24 For example, Dr. Weiner's report indicated that no active THC was found in the
25 Defendant's blood, because Dr. Weiner thought that Delta-9 THC was an inactive metabolite
26 and failed to understand that Delta-9 THC is the primary psychoactive ingredient in marijuana.
27 (Exhibit I; Trial Transcript at pp. 3071:2-20, 3095:7-17.) Similarly, Dr. Rhee did not even know
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1 whether Delta-9 THC was an active psychoactive agent. (Exhibit I; Trial Transcript at p.
2 3384:8-15.)

3 Similarly, the Defense Expert, Dr. Vinson, testified that she did not believe Defendant's
4 toxicology was relevant to her evaluation. (Exhibit I; Trial Transcript at pp. 3218:19-3219:4.)

5 After each of the experts testified that the presence of a psychoactive agent in the
6 Defendant's blood was either not realized or deemed irrelevant, the People sought to introduce
7 the toxicology evidence during rebuttal. Judge McAdam prohibited the introduction of this
8 evidence, indicating that it should have been introduced in the People's case in chief, before the
9 testimony of the experts it was being introduced to contradict.

10 **K. Judge McAdam's Shielding of the Court Appointed Experts from THC Evidence**
11 **During the Pending Sanity Phase of the Trial**

12 After the case had been submitted the jury for the guilt phase, the Defense sought to
13 prevent the People from presenting evidence related to THC usage and intoxication during the
14 sanity phase of the trial. The Defense has the burden of proof and the limits on rebuttal evidence
15 would not apply.

16 Judge McAdam granted the defense motion and excluded that evidence pursuant to
17 Evidence Code section 352 on the basis that in a trial where the Defendant stabbed two people
18 to death and seriously injured a third person, during three separate brutal stabbings, that the jury
19 would be unduly prejudiced by evidence that the Defendant ingested marijuana in college,
20 which Judge McAdam described as a "primary fear" of parents. (Exhibit L; June 17, 2025 and
21 July 18, 2025 Transcripts at pp. 43:21-44:13.) (This comment that marijuana use by a college
22 student was a "primary fear" of parents was made in front of the parents of a college student
23 who was brutally stabbed to death while biking home to his parents.)

24 Judge McAdam's opinion stated that because the experts had not used the evidence to
25 show that Defendant may have been under the influence of THC at the time of the offenses, it
26 could not be introduced to contradict their opinion. Judge McAdam in his ruling, relied on *his*
27 *own* reading of the DSM-V as well as Dr. Rhee's discussion of THC use generally (not a
28 discussion of the Defendant actually being under the influence) stating "The issue here is

1 particularly confusing and would be to the jury because the Prosecutor would be asking the jury
2 to draw inferences – and reach conclusions contrary to how the evidence should rationally be
3 used, and that is the way Dr. Rhee summarized it.” (*Id.* at 44.) Essentially the court was saying,
4 if the evidence supported a conclusion other than what the experts concluded, it would be
5 inadmissible.

6 What is perhaps revealing is the court was not actually preventing any prejudice, as there
7 had already been evidence that the used marijuana, *by the defense themselves*. “Q: You had
8 observed Carlos use marijuana before, correct? A: Yes.” As such, the only effect of the court’s
9 ruling was to protect the experts from criticism. (Exhibit I; Trial Transcript at pp. 2019:18-20.)

10 The exclusion of evidence related to the use of a legal drug, which effects a person’s
11 mental state, where guilt would have already been decided and the only remaining question in
12 the trial would have been Defendant’s sanity is beyond comprehension. (See CALCRIM 3450.)
13 The experts in the case, which Judge McAdam had already ruled were not subject to criticism,
14 had completely ignored or misinterpreted this evidence. It was a glaring piece of evidence ripe
15 for cross examination in a phase where the defense had the burden of proof.

16 **L. Judge McAdam’s treatment of trial counsel**

17 Throughout the examination of the expert witnesses, defense counsel levied thinly veiled
18 criticisms directed at the prosecution, especially related to psychiatric testimony. For example,
19 by asking questions such as “Have you ever experienced someone who does a Google search
20 and then thinks they’re an expert?” (Exhibit I; Trial Transcript at p. at 3144.) and “So if
21 someone were to go on the Internet and go into Google and look at causes of schizophrenia, will
22 they see articles written by who knows who about some of these fringe theories?” (Exhibit I;
23 Trial Transcript at p. 3188:12-16.)

24 During the Defense Examination of Dr. Vinson, the People made a hearsay objection
25 related to a non-testifying doctor’s report. (Exhibit I; Trial Transcript at p. 3357:10-22.) The
26 parties approached and in defense counsel’s explanation of why he was seeking to introduce the
27 evidence, Defense counsel referred to one of the prosecutors as “Dr. van der Hoek” in a
28 facetious and condescending way. The prosecutor interrupted and identified for the court that

1 there had been an ad hominem insult made against one of the attorneys, in the court's presence.
2 Judge McAdam asked what that was and when he was told, Judge McAdam stated that he had
3 not heard the remark and that it needed to stop. (Exhibit M; Declaration of DDA Frits van der
4 Hoek.)

5 The prosecution asked for an opportunity to make a record of what had taken place at
6 sidebar, during a sidebar with the court that took place outside the presence of the jury. The
7 People later again asked for the ability to make a record, this time the request was on the record
8 and the People stated "we would ask for time to obtain transcripts and file a response and
9 present evidence and create a record of some of the things that have taken place at side bar
10 during the course of the trial, which I think all have a bearing on that."

11 The Defense advocated against allowing the People to make a record stating "They don't
12 need to make a record of the side bar. There was only four people who were at side bar, the
13 Court and counsel. The court knows exactly what happened." (TX at 3916:25-27)

14 Judge McAdam did not allow a record of the incident to be made and took no action
15 regarding the mistreatment of attorneys that took place in his presence. By doing so, Judge
16 McAdam acted to protect defense counsel, prevented any redress for the mistreatment of
17 attorneys in his presence, and prevented a record from being made of the lack of civility.

18 Judge McAdam had a responsibility to address this conduct and to allow the People to
19 bring the issue before the court. However, since this related directly to the People's cross
20 examination of the expert testimony, the People were precluded from making a record of the
21 bench side remark by defense counsel.

22 **M. Judge McAdam's lack of impartiality was so obvious that a member of the public**
23 **wrote the District Attorney's Office to suggest a complaint**

24 On June 9, 2025, during the trial, the District Attorney's Office received a postcard from
25 a self-identified Yolo County resident who had been watching the livestream of the trial. The
26 writer indicated that Judge McAdam was "on the side of the defense" and identified that Judge
27 McAdam had repeatedly and publicly chastised the prosecution for the act of cross examining
28

1 the experts. The writer suggested that a complaint should be filed against Judge McAdam.
2 (Exhibit N.)

3 **N. Judge McAdam's embroilment in the formulation of the charges and the charging**
4 **document**

5 On July 24, 2025, the parties met at a trial setting conference and selected new trial
6 dates. During that date, the court gave the People instructions about an Amended Information
7 that the court wanted to have filed, listing exactly what the court believed should be in the
8 Amended Information. (Exhibit O; July 24, 2025 Transcript at p. 4:15-6:15.)

9 Without prompting, or any motion from the defense, Judge McAdam embroiled himself
10 in the litigation, expressing his opinion on what should be filed in the charging document.
11 Specifically, Judge McAdam expressed that he did not believe that there should be an
12 enhancement for willful, deliberate, and premeditated attempted murder associated with Count
13 3, the attempted murder charge. Even when Defense counsel stated that "the People could at
14 their discretion retry that allegation" (*Id.* at 7:1-6.) Judge McAdam embroiled himself further by
15 making his own argument about why the enhancement should not be included in an amended
16 Information stating: "I mean, we just had a trial where the whole theory of the case by the
17 prosecution was premeditation, the defendant was scorn[sic] by a girlfriend, he was lost because
18 of the suspension or expulsion from school, and it would seem to me that the jury rejected that.
19 And so if we're going to have a first-degree case on – that seems to be contrary to what the jury
20 concluded and all the work that we had in a 10-week trial and a definitive answer on the most
21 serious counts." (TX. At 7:7-15.)³

22 **O. Judge McAdam's embroilment by making suggestions to defense counsel**

23 Immediately after stating his opinion that there should not be an enhancement for
24 willful, deliberate, and premeditated attempted murder associated with Count 3, the attempted
25 murder charge, and then receiving push back from the prosecution, Judge McAdam entered the
26

27 ³ This statement by Judge McAdam, that the Information should be amended because the jury rejected the People's
28 theory in the first trial, is in direct contradiction with Judge McAdam's later statement on November 20, 2025, that
the People's use of a new theory in the case would be subject to further motions.

1 fray by inviting the defense to file a motion to dismiss the enhancement to the attempted murder
2 count stating: "I think that it may be subject to pre-trial motion. So if it's something that's
3 appropriate for a pre-trial motion, then just go ahead and file it." (Exhibit O; July 24, 2025
4 Transcript at p. 9:4-8.)

5 **P. Judge McAdam's handling of the People's 1054.3 Motion on October 16, 2025,**
6 **Stated Preference for Court Appointed Doctors**

7 On October 16, 2025, the People filed a motion for a court order to have the Defendant
8 submit to mental health examination by a People's retained expert pursuant to Penal Code
9 section 1054.3. This was noticed for the next scheduled court date, October 16, 2025 and was
10 filed ten calendar days before the hearing.

11 On October 15, 2025, the day before the hearing, the Public Defender's Office emailed
12 the court requesting a continuance because the assigned attorney was engaged in a jury trial and
13 unavailable. The email did not state an opposition to the People's motion, it only requested that
14 Defense counsel be given more time to respond to the People's request. There was no written
15 motion to continue by the defense. The court clerk responded that Judge McAdam "did want me
16 to let you know that he will not be addressing the substance of the motion and will only be
17 addressing scheduling." (Exhibit P.)

18 The court then began addressing the merits of the motion, in contradiction to the email
19 indicating that only scheduling would be addressed. The court questioned (1) Why the People
20 elected for an evaluation under section 1054.3 and not a court appointed doctor under section
21 1027; and (2) Whether a new doctors report would reach a different conclusion. The court again
22 addressed the timing of the motion stating about a motion that had been filed 10 days prior "I
23 don't have an opinion on this motion at all, it came in at the last second." (Exhibit Q; October
24 16, 2025 TX at p. 12:27-28.)

25 Judge McAdam expressed a preference for, and again expressed his view that the People
26 are not permitted to contradict court appointed doctors, stating:

27 (1) "Is there a reason that the People did not request a third evaluation [by a court
28 appointed doctor], timely, pursuant to 1027?" (TX at 6:11-13.)

1 (2) "Is there a reason as to why you think a doctor evaluating at this time would
2 reach a different conclusion than court-appointed doctors...?" (TX at 6:26-7:6.)

3 (3) "I'd like the People to address why the request now, one year after the
4 insanity plea was entered and after we've had a full trial on this matter, why this
5 request is timely, and considering Penal Code Section 1027 and the opportunity
6 for the People to make a request for a third doctor at that time." (TX at 9:10-15.)

7 (4) "I'd like you to explain why you think that this examination is necessary in
8 light of the universal opinions of all the court-appointed doctors."
9 (TX at 9:21-23.)

10 The People submit the court's inquiry invades the People's deliberative processes and
11 would never demand a defense attorney explain in open court their thought processes.

12 In the People's 1054.3 motion, the People indicated that November 19, 2025 was the
13 last date the People's expert was known to be available to examine the Defendant. Rather than
14 give defendant additional time to respond to the People's motion, the court set a new briefing
15 schedule and required the People to address multiple questions by the court. (TX at 8:22-9:25.)
16 The court then calendared the motion for November 20, 2025.

17 **Q. Judge McAdam's handling of the People's 1054.3 Motion on November 20, 2025,**

18 **Protection of Court Appointed Experts by Prohibiting any Contrary Opinion**

19 On November 20, 2025, the Defense objected to People's request for a People's expert.
20 The Defense argued timeliness, the exact argument that had been suggested by Judge McAdam
21 at the October 16, 2025 court date. The October 16, 2025 court date and the November 20, 2025
22 court date, taken together, give the appearance that Judge McAdam always intended to deny the
23 motion, and justified the denial by giving the Defense the grounds that Judge McAdam wanted
24 to use to deny the motion.

25 In his November 20, 2025 ruling, Judge McAdam ruled that the People should have
26 made the 1054.3 motion shortly after obtaining the reports of the experts in the case. But it was
27 Judge McAdam himself who made that impossible. Prior to the April 2025, motion to continue,
28 the experts had been presented with new evidence and materials and were considering whether

1 it effected their opinions. When Judge McAdam denied the motion to continue on April 15,
2 2025, Judge McAdam as a result, the People would not have the final opinions of the experts
3 until after trial had already begun. The motion to continue was uncontested yet was denied by
4 Judge McAdam, who was aware the People had provided materials to the experts.

5 It was Judge McAdam who ensured that the People would not have the final opinion of
6 the experts until the jury trial was already fully in progress. Judge McAdam has now
7 weaponized his own denial of that reasonable, unopposed request for a continuance, at a time
8 where the opinions of the court-appointed experts and the defense expert were not yet settled,
9 preventing the People from having the information they needed before determining whether the
10 People should have their own expert opinion that would contradict the court-appointed experts.

11 **R. Judge McAdam's continued vouching for experts, expression of opinion of the**
12 **evidence at the November 20, 2025 hearing on the People's motion for examination**
13 **of defendant.**

14 During the November 20, 2025 hearing, Judge McAdam continued to vouch for the
15 experts in the case citing their opinions as a basis for which the People should not be able to
16 seek any contrary opinions. Judge McAdam stated:

17 "And most importantly perhaps the experts addressed the issue the plaintiff now wants
18 to focus on, and they discuss cannabis use and they reached conclusions regarding cannabis use
19 disorder and discussed cannabis induced psychosis and the Prosecution had an opportunity to
20 cross-examine at length..."

21 The statement demonstrates that Judge McAdam does not believe the People should be
22 permitted to challenge those experts. It was after the jury trial testimony of the experts that the
23 People interviewed their own experts, obtained funding, retained experts, created a schedule,
24 and then made a motion to the court for an independent evaluation. The fact that Judge
25 McAdam's ruling assumes that because the court appointed experts addresses this issue the
26 issue is settled shows that Judge McAdam is biased towards the court appointed experts and is
27 of the belief that those experts should not be controverted, depriving the People their due
28 process.

1 **S. Judge McAdam embroiled himself in the case by making further suggestions to**
2 **defense counsel**

3 During the course of the November 20, 2025 hearing, Judge McAdam acted to ensure
4 that he would be able to exclude the THC evidence that would contradict the court appointed
5 experts. Judge McAdam did so by suggesting that there would be motions on the matter, despite
6 the fact that no party had made any indication that there would be any such motion or motions.
7 Judge McAdam stated “So there is a lot of work to do to address an entirely new theory of the
8 case two and a half years after the fact. There may be motions associated with this. I need the
9 upmost professionalism. I need meeting and conferring regarding all the motions, time and
10 discovery. And listen, the prosecution has every right to pursue their theory of the case, I’ll take
11 it motion by motion.” (Exhibit R; November 20, 2025 Transcript at p.21:15-24.) Given Judge
12 McAdam’s repeated embroilment in the case and his clear feelings about the court appointed
13 experts “but what’s really important here is looking at the court-appointed experts. These court
14 Court-appointed experts are neutral. They’re not set out with any opinion in mind to advocate
15 for one side or another.” (Id. at p.18:8-12) the message in the courtroom was clear: “File a
16 motion and Judge McAdam will exclude any THC evidence that contradicts the court-appointed
17 experts.”

18 During the November 20, 2025, Judge McAdam made clear his feelings towards the
19 prosecution of this case and the People’s handling of it once again inserting himself into the
20 case and not acting impartiality. The court stated: “And I recall at that hearing or hearing in
21 June of 2023, I notified the parties, and I think I used the phrase this is not a who done it. This is
22 a case about the defendant’s state of mind. Everyone was on notice at that point in time that the
23 adjudication of this matter will turn on that issue. (Id at 15-16).

24 The court continued to recite the history of the case including the various proceedings
25 where experts had testified stating “[n]ow I’m left with nine doctors.” (Id.)

26 The court then went on to determine whether the evaluation by another doctor requested
27 by the People was needed to rebut the defense. The court then opined about the evidence heard
28

1 at trial stating Dr. Vinson “didn’t add a whole lot to the trial” but “I think she’s an important
2 witness for the defense” finding “[h]er qualifications are impeccable.” (Id. at 17-18)

3 The court continued to share its “additional observation” that “there is no doubt the
4 defendant suffered from cannabis use disorder.” (Id. at 19) “So listen, with his extensive record
5 regarding schizophrenia, it will be a real challenge to indicate the defendant does not have
6 schizophrenia and that the sole cause of his conduct was something other than schizophrenia, so
7 that a great challenge.”

8 Rather than allow the People to zealously advocate, the court substituted its own
9 thoughts and opinions in denying the People’s motion.

10 IV.

11 THE MOTION IS TIMELY

12 While the People have described in detail the numerous examples of the appearance of
13 bias by the court, it became abundantly clear after the November 20, 2025 hearing the court’s
14 view of this case. Thus, this filing is made as soon as reasonably possible after the embroilment,
15 vouching, and bias protection of experts that took place on November 20, 2025, and that
16 embroilment, vouching, and bias protection is evidenced by the other incidents described herein.
17 The People have taken the time necessary to prepare the filing, including ordering the transcript
18 from the November 20, 2025. The opportunity to file and serve has been impacting by court
19 holidays (November 27 and 28, 2025) and the unavailability of Judge McAdam from November
20 27, 2025 until December 15, 2025. (Exhibit S.) As such the People were not able to present this
21 statement in compliance with Code of Civil Procedure 170.3(c)(1) until the People obtained the
22 critical transcript and Judge McAdam returned.i
23

24 V.

25 PENAL CODE SECTIONS 170.1 AND 170.3 MANDATE DISQUALIFICATION OF 26 JUDGE MCADAM

27 The People do not make this motion lightly. Throughout the pendency of the case there
28 has been continuous conduct by Judge McAdam that have called his impartiality into question.
However, it has now been made completely clear that the People will not obtain a fair trial before

1 Judge McAdam. He has pre-decided the issues in the case and has now embroiled himself into
2 the very litigation of the case.

3 Judge McAdam has reached a point where he is signposting to the Defense on what
4 motions he wants to see, and what arguments he would be persuaded by in those motions.

5 The case before the court is not minor or trivial. It involves the most serious of charges
6 that resulted in the brutal murder of two innocent individuals and the attempted murder of a third
7 individual. The People have given every benefit of doubt. However now, the cumulative effect
8 of Judge McAdam's conduct has demonstrated a clear and unmistakable bias.

9 **CONCLUSION**

10 For the reasons so stated, the People respectfully request that Judge McAdam be disqualified
11 from this case and that the case be reassigned to an impartial judge.

12
13 Dated: December 16, 2025

Respectfully submitted,

14
15 JEFF REISIG
District Attorney of Yolo County

16
17 By: 

MELINDA D. AIELLO #187980
Chief Deputy District Attorney

Exhibit D



Superior Court of the State of California, County of Yolo


1000 Main Street Woodland, California 95695

www.yolo.courts.ca.gov

MEMORANDUM

TO: Yolo County Sheriff
All Law Enforcement Agencies
County Administrator
County Bar Association
Court Appointed Special Advocate
Health & Human Services Agency
Conflict Attorneys
County Counsel

District Attorney
Probation Department
Public Defender
Empower Yolo
Department of Child Support Services
Dependency Legal Services
Legal Services of Northern California

FROM:  Shawn C. Landry, Court Executive Officer

DATE: August 13, 2024

RE: Amended 2024 Calendar Assignments.

Attached, please find the Amended Yolo Superior Court's 2024 Calendar Assignments effective September 3, 2024. If you have questions, please contact the Executive Office at 530.406.6838.

Attachment

2024 YOLO SUPERIOR COURT CALENDAR, Effective 9/3/24

DEPT. DEPT 1 JUDGE LEVERS ARRAIGNMENTS/ MASTER CALENDAR	MONDAY 9:00 MISD ARR 1:30 FELONY ARR BACK-UP PX	TUESDAY 9:00 MISD ARR 1:30 FELONY ARR BACK-UP PX	WEDNESDAY 9:00 MISD ARR 1:30 FELONY ARR BACK-UP PX	THURSDAY 9:00 MISD ARR 1:30 FELONY ARR BACK-UP PX	FRIDAY 9:00 HARSHIPS 1:30 FELONY ARR BACK-UP PX
DEPT 2 COMMISSIONER TAYLOR AB1058/TRAFFIC/ SMALL CLAIMS/UDs	9:00 SML CLAIMS 1:30 AB1058 DTR EXM/OX SET BY COMMISSIONER	9:00 AB1058 LAW/MOTION 2 ND INT L/M 1:30 AB1058 COURT TRIAL 2 ND INT CRT TRL	9:00 TRAF ARR C/A 1:30 TRF CRT TRLS 1 ST WED JUV	9:00 TRAF ARR C/A 1:30 TRF CRT TRLS	9:00 TRAF ARR C/A 1:30 UD L&M/ UD CRT TRLS
DEPT 3 JUDGE BERONIO FAMILY ODD	9:00 LAW/MOTION 1:30 TRIAL SETTLEMENT CONF	9:00 LAW/MOTION 1:30 TRIAL	9:00 LAW/MOTION 1:30 TRIAL	9:00 LAW/MOTION 1:30 TRIAL/ 3 RD NON-SPANISH INT L/M	9:00 ADOPT/GDSHIP 1:30 TRIAL
DEPT 4 JUDGE BROWN FAMILY EVEN	9:00 LAW/MOTION 1:30 TRIAL SETTLEMENT CONF	9:00 LAW/MOTION 1:30 TRIAL	9:00 LAW/MOTION 1:30 TRIAL	9:00 LAW/MOTION 1:30 TRIAL/ 4 TH NON-SPANISH INT L/M	9:00 ADOPT/GDSHIP 1:30 TRIAL
DEPT 5 ¹ JUDGE MAGUIRE JUVENILE ODD	9:00 SET BY JUDGE 1:30 SET BY JUDGE ALT WKS MHC 3:00 YAC ²	9:00 602 UNCONTESTED 10:30 300 UNCONTESTED 1:30 CONTESTED HRGS	9:00 602 UNCONTESTED 10:30 300 UNCONTESTED 1:30 CONTESTED HRGS	9:00 602 UNCONTESTED ADOPT HRG 10:30 300 UNCONTESTED 1:30 CONTESTED HRGS	9:00 602 UNCONTESTED 10:30 300 UNCONTESTED 1:30 CONTESTED HRGS
DEPT 6 ¹ JUDGE RICHARDSON JUVENILE EVEN	9:00 300 UNCONTESTED 10:30 602 UNCONTESTED 1:30 CONTESTED HRGS	9:00 300 UNCONTESTED 10:30 602 UNCONTESTED 1:30 CONTESTED HRGS	9:00 300 UNCONTESTED 10:30 602 UNCONTESTED 1:30 CONTESTED HRGS	9:00 300 UNCONTESTED ADOPT HRG 10:30 602 UNCONTESTED 1:30 CONTESTED HRGS	9:00 SET BY JUDGE 1:30 SET BY JUDGE ALT WKS AIC COURT
DEPT 7 JUDGE DYER CRIMINAL NON-TRIAL WEEK	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC/TRC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS
DEPT 8 JUDGE WOLK CRIMINAL NON-TRIAL WEEK	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC/TRC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS
DEPT 9 JUDGE CORTÉS CRIMINAL NON-TRIAL WEEK	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC/TRC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS
DEPT 10 JUDGE HOHENWARTER CRIMINAL NON-TRIAL WEEK	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC/TRC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS	9:00 L/M PHC/PTC 1:30 PRELIMS
DEPT 11 JUDGE FALL CIVIL/PROBATE/LPS ODD	9:00 CMC 10:30 TRIAL	9:00 LAW/MOTION 10:30 TRIAL	9:00 LAW/MOTION 10:30 TRIAL	9:00 LAW/MOTION 10:30 TRIAL	9:00 LPS/ LAW/MOTION 10:30 TRIAL
DEPT 14 JUDGE MCADAM CIVIL/PROBATE EVEN	9:00 CMC 10:30 TRIAL 11:00 RIESE HRGS	9:00 LAW/MOTION 10:30 TRIAL	9:00 LAW/MOTION 10:30 TRIAL	9:00 LAW/MOTION 10:30 TRIAL 11:00 RIESE HRGS	9:00 LAW/MOTION/ CARE COURT 10:30 TRIAL

¹ Odd numbered post-conviction petitions in which the original judge has retired.

² Collaborative Courts include Mental Health Court (MHC), Addiction Intervention Court (AIC), Young Adult Court (YAC), and Mental Health Diversion (MH-DIV). MH-DIV is currently handled by an assigned judge.

³ Even numbered post-conviction petitions in which the original judge has retired.

Exhibit E

170.6 Challenges by the People

Defendant	Case #	Date Filed	Judge Challenged	Ruling	Result
Sanchez-Castillo, Osman	24-3769	12/18/2024	Hohenwarter	Honored	McAdam
Garcia-Velasquez, Josue	24-1713	12/20/2024	Hohenwarter	Honored	McAdam
Marquez, Randy	24-4425	12/26/2024	Cortés	Honored	McAdam
Smith, Jaceson	25-0210	1/22/2025	Hohenwarter	Honored	McAdam
Rose, Kaycee	25-0210	1/22/2025	Hohenwarter	Honored	McAdam
Robinson, Michael	24-4732	2/19/2025	Hohenwarter	Honored	McAdam
Carter, Aaron	24-4534	2/19/2025	Hohenwarter	Honored	McAdam
Santiago, Brandy	25-1339	4/7/2025	Cortés	Honored	McAdam
Andrade, Samuel	23-1863	4/7/2025	Cortés	Honored	McAdam
Lamar, Jaylond	25-1312	4/7/2025	Cortés	Honored	McAdam
Lamar, Jaylond	25-1331	4/7/2025	Cortés	Honored	McAdam
Guevara, Antonio	25-1290	4/7/2025	Cortés	Honored	McAdam
Romero, Kalelio	25-1317	4/7/2025	Cortés	Honored	McAdam
Scales, Broderick	24-4616	4/7/2025	Cortés	Honored	McAdam
Helms, Daymian	25-1240	4/16/2025	Cortés	Honored	McAdam
Bradley, Casia	25-1505	4/16/2025	Cortés	Honored	McAdam
Reed, Luke	25-1551	4/16/2025	Cortés	Honored	McAdam
Jarvis, Jeffrey	25-1539	4/17/2025	Cortés	Honored	McAdam
Aguilar, Damian	24-3671	4/17/2025	Cortés	Honored	McAdam
Petersen, Michael	25-0333	4/17/2025	Cortés	Honored	McAdam
Borjas-Alvarado, Jose	25-1497	4/17/2025	Cortés	Honored	McAdam
Karl, David	25-1426	4/17/2025	Cortés	Honored	McAdam
Lee, Michelle	25-1588	4/21/2025	Cortés	Honored	McAdam
Lee, Michelle	22-3448	4/21/2025	Cortés	Honored	McAdam
Strickland, Jacquelyn	25-1582	4/21/2025	Cortés	Honored	McAdam
Post, Destiny	25-1612	4/22/2025	Cortés	Honored	McAdam
Stephey, Nicholas	25-1542	4/25/2025	Cortés	Honored	McAdam
Johnson, Billy	25-1701	4/28/2025	Cortés	Honored	McAdam

Exhibit F

170.6 Challenges by the Public Defender

Defendant	Case #	Date Filed	Judge Challenged	Ruling	Result
Roberts-Crippen, Jaden	24-2568	12/12/2024	Richardson	Honored	Wolk
Roberts-Crippen, Jaden	24-1872	12/12/2024	Richardson	Honored	Wolk
Amaya, Edwin	23-3548	12/12/2024	Richardson	Honored	Hohenwarter
Singh, Ranjit	24-1731	12/12/2024	Richardson	Honored	Cortés
Castaneda, Marcelino	24-4326	12/13/2024	Richardson	Honored	Cortés
Alden, Matthew	24-4115	12/13/2024	Richardson	Honored	Cortés
Edwards, Peter	24-3721	12/13/2024	Richardson	Honored	Wolk
Brady, Robert	23-0391	12/16/2024	Richardson	Honored	Cortés
Cain/Davis/Khani	23-2675	12/18/2024	Richardson	Honored	Hohenwarter
Lopez-Jurado, Saul	24-1710	12/18/2024	Richardson	Honored	Wolk
Andrade, Valentino	24-3172	12/19/2024	Richardson	Honored	Hohenwarter
Bowman, Aschannell	22-0474	12/20/2024	Richardson	Honored	Wolk
Guillen, Gema	24-3934	12/30/2024	Richardson	Honored	Wolk
Lopez, Nicolas	24-0062	12/30/2024	Richardson	Honored	Cortés
Barner, Patrick	24-4631	12/30/2024	Richardson	Honored	Hohenwarter
Perez, Luis	24-3356	12/30/2024	Richardson	Honored	Wolk
Fox, Stephen	24-2242	12/30/2024	Richardson	Honored	Wolk
Avalos, Rocio	24-4557	12/30/2024	Richardson	Honored	Cortés
Herrera, Joseph	24-4300	12/30/2024	Richardson	Honored	Wolk
Noriega, David	CRPR240097	12/30/2024	Richardson	Honored	Cortés
Soloman, Nathan	24-4294	12/30/2024	Richardson	Honored	Hohenwarter
Valencia	24-3559	12/31/2024	Richardson	Honored	Cortés
Rowe, Jason	24-4343	12/31/2024	Richardson	Honored	Cortés
Smith, Gary	24-4344	12/31/2024	Richardson	Honored	Cortés
Milligan, Samuel	24-4475	12/31/2024	Richardson	Honored	Cortés
Lovstad, Stanley	24-2357	1/3/2025	Richardson	Honored	Cortés
Nichols, Teresa	25-0056	1/14/2025	Richardson	Honored	Hohenwarter
Morris, Kevin	20-2594	1/14/2025	Richardson	Honored	Wolk
Lopez, Jeffrey	25-0142	1/14/2025	Richardson	Honored	Wolk

Exhibit G

FILED
YOLO SUPERIOR COURT

JUL 03 2025

By

Deputy

YOLO SUPERIOR COURT FOR THE STATE OF CALIFORNIA

PEOPLE

Plaintiff,

vs.

JUSTIN TYLER DELLO

Defendant.

Case No.: C12-2025-1543

ORDER

This is the Court's ruling on defendant's objection to the prosecutor's peremptory challenge directed at Judge Sonia Cortes pursuant to CCP sec. 170.6. The defendant claims that the "blanket challenge" of Judge Cortes, the only Hispanic judge presiding in Yolo County, violates the Equal Protection Clause, as "race based" discrimination.

Standards of Judicial Administration, Rule 10.20

As a starting point, this Court has a duty to ensure the integrity and impartiality of the judicial system. The Court is mandated to take action to prevent bias and the appearance of bias based on ethnicity and race, among other protected characteristics. (See Rule 10.20.)

1 Thus, it is imperative that the Court consider the merits of the
2 defendant's objection, which clearly levels a charge of bias against the
3 People in the administration of justice.

4 Timing of the Motion and Basis for Jurisdiction

5 In a case assigned for all purposes to an identified judge, under
6 section 170.6 the peremptory challenge shall be made to the targeted judge or
7 to the presiding judge within ten days of the assignment. In Yolo as a
8 matter of practice, the motion is directed to the assigned judge and not
9 typically heard first by the presiding judge. Under the statute, the motion
10 may be filed without advanced notice and does not proceed to a hearing. The
11 assigned judge generally rules on the motion the same day that it is filed.
12 Thus, as a general matter, any objection like the one made here by the
13 defendant may not be considered prior to the ruling on the motion. Once the
14 assigned judge grants the motion, she is divested of jurisdiction and cannot
15 herself rule on any objection.

16 To ensure due process, therefore, the presiding judge takes
17 jurisdiction over the objection to the peremptory challenge. In the cases
18 involving Judge Cortes, the presiding judge has delegated the authority to
19 rule on the objection to the newly assigned judge for all purposes. In the
20 case at hand, that is the undersigned.

21 Discriminatory Peremptory Challenges are Prohibited

22 It is fundamental that a party cannot strike a judge pursuant to CCP
23 sec. 170.6 due to the race or ethnicity of the judge. (See *People v.*
24 *Superior Court (Williams)* 8 Cal.App.4th 688, 707-713) This rule is a function
25 of equal protection.

26 Under *Williams*, the party asserting an equal protection violation bears
27 the burden of proving discrimination. *Williams* established a procedural
28 construct where the objecting party must first establish a prima facie case

1 of discrimination. Then, the challenged party assumes the burden of
2 demonstrating that its peremptory challenge was not predicated on
3 discriminatory bias alone. The trial court then ultimately determines
4 whether or not the objecting party has proven a claim of discrimination.

5 What Constitutes a Prima Facie Case of Discrimination?

6 The *Williams* court discussed "purposeful" discrimination. But in 2020,
7 the Legislature passed the Racial Justice Act and mandated that the courts
8 work to eliminate all forms of bias, not just purposeful discrimination, but
9 also implicit or unconscious bias. "Implicit bias, although unintentional
10 and unconscious, may inject racism and unfairness into proceedings similar to
11 intentional bias."

12 The RJA further declares: "It is the intent of the Legislature to
13 ensure that race plays no role at all in seeking or obtaining convictions in
14 sentencing. It is the intent of the Legislature to reject the conclusion
15 that racial disparities within our criminal justice system are inevitable,
16 and to actively work to eradicate them." These protections against race
17 discrimination apply equally based on ethnicity and national origin.

18 To promote the RJA, the Judicial Council has provided a working
19 advisement as to the meaning of "implicit or unconscious bias." CALCRIM 209
20 explains: "Bias can affect what we notice and pay attention to, what we see
21 and hear, what we remember, how we perceive people, and how we make
22 decisions. We may favor or be more likely to believe people whom we see as
23 similar to us or with whom we identify. Conversely, we may disfavor or be
24 less likely to believe people whom we see as different." Implicit bias may
25 be based on "stereotypes we would reject if they were brought to our
26 attention."

27 A deeper understanding of implicit bias is further reflected in CCP
28 sec. 231.7, which governs the use of peremptory challenges during jury

1 selection. The statute sets forth numerous personal characteristics of
2 jurors which constitute presumptively invalid grounds to strike the juror,
3 including expressing negative views of law enforcement and not being a native
4 English speaker, among others.

5 Under the RJA, to establish a prima facie showing, the defendant must
6 produce facts that establish a substantial likelihood that a violation
7 occurred. In this context, a "substantial likelihood" lies between a "mere
8 possibility" and "more likely than not." (See *Finley v. Superior Court*
9 (2023) 95 Cal.App.5th 12, 22). The defendant must state fully and with
10 particularity facts on which relief is sought and include copies of
11 reasonably available documentary evidence and statistics. The Court must
12 accept the truth of defendant's allegations, including expert evidence and
13 statistics, unless allegations are conclusory, unsupported by the evidence or
14 demonstrably contradicted by the court's own records. (*Id.* at 23.)

15 What Facts has the Defendant Produced in this Case?

16 Judge Cortes is a highly qualified and experienced judicial officer.¹
17 As noted above, she is the only Hispanic serving as a judge in Yolo. In
18 fact, Judge Cortes was the first Latino appointed to the bench in the history
19 of Yolo County. Under Government Code sec 11135, CCP sec. 231.5 and the
20 Supreme Court ruling in *People v. Cunningham* (2015) 61 Cal.4th 609, 652,
21 Hispanics are a cognizable group deserving of protection under the anti-
22 discrimination laws of the State.

23 Judge Cortes currently serves as the Assistant Presiding Judge and the
24 Supervising Judge of the Criminal Division. She is one of only three judges

25
26 ¹ The facts about Judge Cortes are taken from her judicial profile
27 posted on the Court's website and from the Yolo Unity Bar website. These
28 matters are the proper subject of judicial notice, and the parties are free
to correct or supplement the record as provided for by Evidence Code sec. 455
(b).

1 to have experience in all four divisions of the court, having covered
2 assignments in criminal, civil, juvenile and family. She has served as the
3 Judicial Advisory for the Grand Jury. She has long served as on the Yolo
4 County Law Library Board of Trustees. She is also active in the California
5 Latino Judges Association and the Schwartz-Levi Inn of Court.

6 Prior to being appointed in 2015, Judge Cortes served as Senior Deputy
7 County Counsel and as an attorney for both La Raza Centro Legal and Legal Aid
8 of Northern California. She has a law degree from the University of
9 California, Berkeley School of Law, and an undergraduate degree from UC
10 Davis.

11 In 2023, Judge Cortes received the Judicial Award from the Yolo Unity
12 Bar, becoming the first Yolo judicial recipient. The award honored Judge
13 Cortes for her commitment to maintaining a fair and accessible courtroom to
14 all in our community, especially the disadvantaged and those historically
15 discriminated against. The Yolo Unity Bar is the largest affiliation of
16 lawyers in Yolo County. The award is the most distinguished award given to a
17 judicial officer in Yolo County.

18 The defendant here produced evidence that the People challenged Judge
19 Cortes, sitting AFAP on the criminal assignment, in over 20 cases and
20 counting. This is known as "papering" or as a "blanket challenge" - the
21 practice of disqualifying a targeted judge from hearing a type of case or
22 from hearing any cases on the assignment. (See *People v. Superior Court*
23 (*Tejada*) 1 Cal.App.5th 892, 905; *Solberg v. Superior Court of San Francisco*
24 (1977) 19 Cal.3d 182, 201-202.)

25 The defendant further produced evidence that the "papering" of Judge
26 Cortes started in response to her ruling on or about April 3, 2025 in the
27 case *People v. Joseph Almeida*, whereby she granted the defense motion to
28

1 dismiss on the grounds that the prosecution had negligently committed Brady
2 violations.

3 The question now before the Court is whether this record constitutes a
4 prima facie showing of discriminatory exercise of CCP 170.6 challenges
5 against Judge Cortes.

6 Section 170.6

7 The People's motion to disqualify Judge Cortes was made pursuant to CCP
8 sec. 170.6. The substantive requirements for said motion are clearly set
9 forth in the statute. First, given the oath requirement, the motion must be
10 based on *good faith belief* by the attorney or party. Second, it must allege
11 that the Judge is *prejudiced* against the attorney or party, such that a fair
12 trial or hearing cannot be had. Finally, as noted in *Williams*, the motion
13 cannot violate equal protection and discriminate based on race, national
14 origin or ethnicity.² The requirements are so particular that the statute
15 even sets forth language for the supporting affidavit. (See subsection
16 (a)(6).)

17 If the motion is procedurally sound and duly presented and the
18 affidavit, or statement under oath is duly made, on that basis and without
19 any further act or proof, the motion shall be granted and a new judge
20 assigned. (See 170.6 (a)(4).) "The law assumes that a party who makes a
21 motion for peremptory challenge does so in good faith." (*Solberg* at 196-
22 197.) As a general rule, the trial court has no discretion to exercise when
23 a properly and timely filed motion is made. (*Prescription Opioid Cases* (2020)
24 57 Cal.App.5th 1039, 1046.)

25
26
27 ² There are also numerous procedural requirements set forth in the
28 statute, including timing mandates - none of which are at issue now.

1 Importantly, the moving party under section 170.6 need not prove or
2 make a showing that the judge is *actually* prejudiced. (*Maas v. Superior Court*
3 (2016) 1 Cal.5th 962, 972. Section 170.6 is to be liberally construed in
4 favor of allowing a peremptory challenge, and a challenge should be denied
5 only if the statute absolutely forbids it. (*Stephens v. Superior Court*
6 (2002) 96 Cal.App.4th 54, 61-62.) This is an important part of California's
7 system of due process to promote fair and impartial trials and confidence in
8 the judiciary. (*Id.*)

9 What is the Definition of Prejudiced?

10 As noted, the statute mandates a good faith belief that the judge is
11 prejudiced. The statute further states that this means the attorney or party
12 cannot have a fair trial or hearing. In order to determine whether a party
13 is using the challenge in an impermissible discriminatory way, the Court must
14 understand the parameters of not receiving a fair trial. Unfortunately,
15 California courts have not addressed this issue in a meaningful way - in the
16 context of a 170.6 challenge. Instead, most courts have only superficially
17 concluded that a moving party is assumed to act in good faith in declaring a
18 belief of judicial bias and that is the end of the inquiry.

19 *Williams* opened the door to digging deeper into the question of "what
20 is prejudiced?" And as discussed above, that inquiry is broader under the
21 Standard 10.20 and the RJA and must include whether implicit bias is in play.

22 The answer to what is prejudiced is not difficult to find. It rests in
23 section 170.1 and the Code of Judicial Ethics. Section 170.1 (a)(6)((A)(iii)
24 mandates disqualification when "a person aware of the facts might reasonably
25 entertain a doubt that the judge would be able to be impartial." Section
26 170.1 (a)(6)(B) adds, "Bias or prejudice toward a lawyer in a proceeding may
27 be grounds for disqualification." The test is an objective test, not a
28 question of actual bias. (*People v. Chatman* (2006) 38 Cal.4th 344, 363.) The

1 test is whether a reasonable member of the public at large, aware of all the
2 facts, would fairly entertain doubts as to the judge's impartiality.
3 (*Wechsler v. Superior Court* (2014) 224 Cal.App.4th 384, 390.) A "reasonable
4 person" is a layperson uninvolved with the litigation, who is not
5 "hypersensitive or unduly suspicious," but also not "accustomed to the
6 process of dispassionate decision making such that they may regard asserted
7 conflicts to be more innocuous than an outsider would." (*Id.* at 391.)

8 Here, the defendant alleges that the People have "papered" Judge Cortes
9 because of an adverse legal ruling finding a Brady violation, resulting in
10 the dismissal of multi-defendant felony criminal action. Presumably, the
11 People believe the ruling was erroneous and unfairly targeted their legal
12 representation. Under the standards of 170.1 and the Code of Judicial
13 Ethics, however, an erroneous legal ruling without "something more" does not
14 establish judicial bias. (*People v. Nieves* (2021) 11 Cal.5th 404, 485; *Brown*
15 *v. American Bicycle Group, LLC* 92014) 224 Cal.App.4th 665, 674; *Blakemore v.*
16 *Superior Court* (2005) 129 Cal.App.4th 36, 59-60; *In re Morelli* (1970) 11
17 Cal.App.3d 819, 849; see also *Oberholzer v. Commission on Judicial*
18 *Performance* (1999) 20 Cal.4th 371.) The "something more" must reflect the
19 judge's inability to be fair, such as - for example, ignoring Court of Appeal
20 rulings in the case, or becoming an advocate for one side and not remaining
21 neutral, or using foul or discriminatory or harassing language in making a
22 ruling or conducting proceedings.

23 While legal error is not a basis for disqualification, judges are held
24 to a high standard of impartiality. The Canons set forth ethical mandates
25 for judges and any misstep by a judge may be grounds for disqualification,
26 including an ill temperament towards an attorney or party.

1 Differences Between 170.1/170.3 and 170.6

2 By way of background, the procedure to file a motion to disqualify a
3 judge based on the grounds set forth in 170.1 is set forth in subsection (c)
4 of section 170.3. It requires the filing a written verified statement
5 objecting to the hearing or trial assigned to the targeted judge. The
6 statutory scheme goes on to establish judicial review by an out-of-county
7 judge assigned by the chairperson of the Judicial Council. The targeted
8 judge is authorized to consent or file a verified answer. The reviewing
9 judge may order an evidentiary hearing. The focus of the inquiry, however,
10 remains on the central question as to whether the judge is prejudiced.

11 The process is open to sunshine as the moving party and the judge may
12 lay bare all of the concerns and issues that have arisen during the course of
13 the litigation, including extrajudicial matters to the extent relevant. It
14 can also be a time-consuming process.

15 In contrast, the 170.6 process is immediate and does not require a
16 public disclosure of the grounds for disqualification and does not allow for
17 a judicial response.

18 But while the burden and nature of proof is procedurally different, the
19 real question before this Court, is whether the definition of bias or
20 prejudice is any different under the two statutes. Can a judge be
21 disqualified under section 170.6 for conduct that would not be disqualifying
22 under 170.1 or the Code of Judicial Ethics? Or, put more liberally, can the
23 judge be disqualified under section 170.6 for a good faith but mistaken
24 belief of bias different from 170.1?

25 The answer is that the substantive definition of prejudice must be the
26 same; the concept of judicial bias is grounded in the Canons and reflected in
27 statute; it does not change color in different contexts. In sum, the
28 definition of bias is the same under the two statutes, but 170.6 grants the

1 moving party the benefit of asserting a good faith belief of prejudice that
2 may be difficult to prove in an evidentiary hearing or that may, in fact, be
3 mistaken.

4 One additional observation as to what constitutes a good faith belief
5 of prejudice. If the purported basis for the claim of bias is so clearly
6 mistaken on its face even if assumed to be made in good faith - such as a
7 claim of legal error, then, it may follow that this mistaken belief is mere
8 pretext for an impermissible peremptory challenge in violation of equal
9 protection.

10 More on the Williams decision

11 While the rule in *Williams* is guiding this Court's decision, the
12 Court's application of the rule to the facts does not stand the test of time
13 in light of Standard 10.20 and the RJA. In *Williams*, the Court of Appeal
14 concluded that the defendant had not stated a prime facie case of
15 discriminatory use of the 170.6 peremptory challenge and the presiding judge
16 exceeded his authority in probing the People for the basis for the challenge.

17 In *Williams*, the targeted judge was James L. Long, a black, male judge
18 in Sacramento assigned by Presiding Judge James T. Ford to the retrial of a
19 murder case. The People filed a motion pursuant to 170.6. The defendant
20 objected on the grounds that it was a race-based challenge against Judge
21 Long. The defendant further explained that in the previous trial of the
22 matter, the People had been found to have committed a Batson/Wheeler race
23 violation during jury selection, resulting in a mistrial. To Judge Ford,
24 those facts made out a prima facie case that the 170.6 challenge was not made
25 in good faith.

26 Judge Ford then probed the prosecutor for the basis for the peremptory
27 challenge. The Prosecutor explained that he had prosecuted cases against
28 Judge Long before the judge joined the bench and when he served as defense

1 counsel. In those cases, the defendants represented by Judge Long ultimately
2 plead guilty. The Prosecutor formed the opinion that Judge Long was not
3 competent and the People would not be able to obtain proper jury instructions
4 and rulings on evidentiary matters. Based on this record, Judge Ford
5 rejected the People's asserted "race-neutral" explanation and concluded that
6 the People's challenge to Judge Long was race based and reset the trial
7 before Judge Long.

8 In reviewing the matter on the People's writ petition, the Court of
9 Appeal disagreed and found that the defendant had failed to make out a prima
10 facie case and even if Judge Ford properly considered the matter beyond that,
11 the Prosecutor's "race-neutral" explanation defeated any claim of
12 discrimination.

13 A decision like *Williams* is exactly what the RJA and CCP sec. 231.7 was
14 designed to remediate. The law as it stands now recognizes how systemic and
15 historical stereotypes permeate the justice system. More particularly, the
16 bare claim that a minority judge is not competent is, on its face, highly
17 offensive and must be scrutinized as pretext for discrimination or even as a
18 genuine reflection of implicit bias - especially when the Prosecutor has
19 already committed a *Batson/Wheeler* violation. In *Williams*, Presiding Judge
20 Ford saw through the pretext of the "lack of competence" claim having worked
21 with Judge Long on the bench. But, the Court of Appeal, reflecting little
22 appreciation for race discrimination, declined to defer to Judge Ford who
23 would have normally received such deference.

24 Thus, under current law as reflected in the RJA and other statutes and
25 rules, beyond providing this Court with the general rule that the trial judge
26 should review the substance of a 170.6 challenge when the defendant has made
27 a prima facie showing of discrimination in violation of equal protection, the
28

1 opinion in *Williams* provides no further guidance on the question at hand and
2 should be revisited in any future appellate decision.

3 Judicial Independence and 170.6, the *Solberg* and *Tejada* Decisions

4 Both parties here have discussed the Supreme Court decision in *Solberg*
5 and the Fourth Appellate District, Division Three, decision in *Tejada*
6 extensively. These decisions confirm the constitutionality of section 170.6
7 in response to separation of powers challenges. Both cases addressed
8 "blanket challenges" (aka "papering"). Neither, however, addressed a
9 challenge based on equal protection.

10 In both cases, the problems with section 170.6 papering of a judge were
11 spelled out in detail, criticizing the practice even if lawful. In *Tejada*,
12 the Court harkened back to Justice Tobriner's dissent in *Solberg*: "The use
13 of the 'blanket' challenge under section 170.6 to disqualify a judge because
14 of his judicial philosophy or his prior rulings on questions of law seriously
15 undermines the principle of judicial independence and distorts the
16 appearance, if not the reality, of judicial impartiality . . . [W]e do not
17 believe that the judiciary [should be] helpless to prevent such an abuse of
18 the section 170.6 procedure, particularly in a case - such as the present one
19 - in which the improper basis of the disqualification motion clearly appears
20 on the face of the record." (*Tejada* at 910; *Solberg* at 205 (dis. Opn.
21 Tobriner, J.)

22 Thus, the current state of affairs is that section 170.6 is
23 constitutional, but the practice of "papering" judges is highly disfavored by
24 the appellate courts. The one exception to the mandatory grant of a 170.6
25 motion remains when it violates equal protection.

26 Application of the Rule of Law to this Case

27 This is the exact type of case which Justice Tobriner called out as an
28 abuse of the law. The People have "papered" the only Hispanic judge in Yolo

1 County, disqualifying her from hearing felony criminal cases. Yolo County
2 has a sizable Hispanic population. It has a 100 year-plus history of having
3 no Hispanic judges serving the community. A reasonable person would find
4 this deeply troubling.

5 The problem is compounded by the fact that the People have apparently
6 exercised its peremptory challenge rights in response to nothing more than an
7 adverse legal ruling. This is clearly not grounds to disqualify a judge
8 pursuant to CCP sec. 170.1. The law requires something more than a good
9 faith dissatisfaction with a legal ruling, even if the legal ruling were
10 erroneous.³

11 And yet, under *Solberg* and *Tejada*, the use of the peremptory challenge
12 under section 170.6, even for such a disfavored purpose, is lawful so long as
13 made in good faith, unless it offends equal protection. To pierce the
14 protections of 170.6, the objecting party - the defendant in this case --
15 must establish a prima facie case of discrimination. Even under current law
16 recognizing the broad scope of the RJA and other laws against implicit bias,
17 the defendant must submit more than a naked objection to the People's 170.6
18 challenge. (See *Finley*.)

19 Here, there is basic information accessible to the defendant that has
20 not been produced. It is not the role of the Court to retrieve evidence to
21 support one side or the record in a particular matter. The type of
22 information that might support a prima facie claim of discrimination
23 includes: the relative demographic data of minorities in the county; more
24 historical information regarding the lack of minority judges in Yolo County;
25 data regarding the disproportionate jail and prison population of minorities

27 ³ There is nothing in the record to prove that Judge Cortes ruling was
28 erroneous in any way.

1 in Yolo County; the demographic data regarding the defendants in the Almeida
2 case; the demographic data of the prosecuting attorneys signing the
3 affidavits, given CALCRIM 209; expert testimony regarding the significance of
4 this data and the social science as to the importance of diversity on the
5 bench; the use of peremptory challenges against other judges and whether
6 Hispanic defendants were involved; the use of press releases against judges
7 in cases involving Hispanic defendants, among other data and evidence.

8 While the burden on the defendant is slight, it is still a burden to
9 make a record. A prima facie case is something more than a mere objection
10 with some basic level facts. The requirement is more substantial than under
11 section 231.7. (See *Finley*.) Again, the standard is that the defendant must
12 produce facts that, if true, establish that there is a substantial likelihood
13 that a violation of equal protection has occurred. The Court must give the
14 evidence produced full credit unless it is conclusory or clearly contradicted
15 by the record.

16 At this point, the defendant has not met its burden to state a prima
17 facie case. The defendant has identified the targeted judge as falling into
18 a protected group status. The defendant has further explained that the
19 People are "papering" the judge. Finally, the defendant has offered that the
20 People are exercising challenges in response to an adverse legal ruling.
21 What is missing is the context of the matter and an explanation of the
22 significance given the objectives of the RJA. Until that evidence is
23 provided, the Court is bound to accept the good faith representation of the
24 People's peremptory challenge. For the reasons set forth above, this is
25 insufficient showing at this stage to overturn the People's challenge and
26 reassign this case to Judge Cortes.

27 / / /
28

1 Necessary Advisements

2 Given this Court's duty under Standard 10.20, the Court provides two
3 further advisements.

4 The Court underscores that the proper use of 170.6 is when an attorney
5 or party has a good faith belief that the targeted judge is prejudiced as
6 that term is defined by section 170.1 and the Code of Judicial Ethics.
7 Section 170.6 merely provides an expedited procedure for making such motion.
8 It is not untethered from the broader principles of judicial disqualification
9 as codified in 170.1. It does not contain a watered-down standard of
10 judicial bias. And for as long as anyone can remember, a disagreement with a
11 legal ruling has long been an insufficient basis to disqualify a judge.
12 (*McEwen v. Occidental Life Ins. Co.* (1916) 172 Cal. 6, 11).

13 The unstated, internal reasoning of a party exercising a challenge must
14 be based on the law, and not a subjective dislike or personality conflict or
15 something similarly unsubstantial - otherwise, it is not being made in good
16 faith. The claim is that the judge is prejudiced. That term is defined by
17 section 170.1.

18 While this Court at this stage has not probed directly into the reason
19 for the People's peremptory challenge and the Court has assumed the People
20 are acting in good faith, given the record before the Court, the People are
21 hereby advised to comply with the law as set forth herein.

22 Also, the Court advises the People to reconsider the "papering" of
23 Judge Cortes in light of the principles of the RJA and to evaluate its'
24 challenges under CALCRIM 209.

25 Finally, with these advisements in mind and taking Justice Tobriner's
26 criticism to heart, the best way to "paper" a judge is to use the procedure
27 set forth in section 170.3. This ensures a public airing of the grounds for
28 a serial disqualification. The public, the parties and the judge benefit

1 from a full disclosure regarding the alleged bias and receive a ruling from
2 an out-of-county judge.

3 Ruling

4 In sum, the Court's ruling here is a narrow one. Based on the limited
5 record, the defendant has not made a prima facie showing of discrimination.
6 The objection to the People's peremptory challenge is DENIED.

7 IT IS SO ORDERED.

8 Signed in Woodland, California on ^{July}~~June~~
9 3, 2025

10 
11 The Honorable Samuel T. McAdam

Exhibit H

UC DAVIS School of Law

MENTAL HEALTH LAW

Samuel T. McAdam

Spring Semester 2024

Monday 5:00 pm to 7:00 pm

GENERAL COURSE INFORMATION

Faculty Contact Information

Samuel T. McAdam (Judge, Yolo Superior Court)

E-mail: smcadam@yolo.courts.ca.gov

Phone/text: 530-312-3326

Office Hours: Thursday at 4:00 pm by Zoom and by appointment. [Zoom Remote Appearances | County of Yolo \(ca.gov\)](#) -- see Department 10.

Course Information

Class, in-person: Monday 5:00 pm to 7:00 pm

Location: ROOM 2040

Pre-requisites: None

Credit Hours: 2 units

Course Description

As California moves into its second decade of criminal justice reform, we now turn our focus to how those with mental health conditions interact with law enforcement and the justice system. This class will explore the work of crisis intervention teams, collaborative courts, and California's new CARE courts. Our

effort will build on a foundational study of competency, insanity, protections under the Americans with Disabilities Act, hospital holds, forced medication, and conservatorships. Special attention will be given to children and the elderly. The class is a broad survey of the law as it relates to mental health and the courts. It is designed to educate future leaders on how to better serve those with mental health needs, their families, and our communities.

Textbooks and Course Materials

Mental Health in a Nutshell, John E.B. Myers, West Academic (Third Edition)

The Criminalization of Mental Illness, Slate, Frailing, Johnson, and Buffington, Carolina Academic Press (Third Edition)

Case Studies posted on CANVAS

Learning Outcomes: these broad objectives are what is planned for you to learn

- Understanding the tension in the law between civil rights and public safety concerning persons with severe mental illness
- Understanding the fundamental legal elements of laws related to persons with severe mental illness
- Developing and practicing legal analysis skills for representing persons with severe mental illness
- Understanding the exposure to legal risk across different disciplines of law for persons with severe mental illness face
- Understanding the roles and responsibilities for each of the interested community agencies and service providers who encounter persons with severe mental illness

Assessment Plan/Grading Rubric

The assessment in this class will include class participation and feedback, completion of tasks associated with the final term-paper, two in-class quizzes, and the final paper. You will receive feedback and an assessment on each element of the grade and submission. Here is how each input will be considered.

- **Class participation.** Regular attendance and participation makes you eligible for a one-third grade bump (e.g. B+ bump up to A-). Flipside, a failure to attend and/or participate in class exposes you to a one-third grade drop. See policy below.
- **Term-paper tasks:** Timely submission of (1) topic, (2) outline, (3) draft paper are subject to an assessment of one of the following: check for satisfactory submission, or check plus for excellent submission or check minus for unsatisfactory submission.
- **In Class Quiz or Case Study Problem (minimum of two):** Same assessment: check, check-plus or check-minus.
- **Final paper:** Each paper will receive a mark from 50 to 100, with 100 being a perfect score. From there, the papers will be graded on a curve and a letter grade will be awarded. The core required elements of the final paper will be explained during class but here is a broad description.
 - 20-page term paper, double-spaced, one-inch margin
 - Plus endnotes with citations for both facts and law
 - Case study analysis addressing legal challenges faced by one person who suffers from a severe mental illness. The person of your choice may be one who is described in fictional literature or a real person. The factual background concerning the person must be verifiable, either thru reference to a book of fiction or news articles or some other similar source. I will provide examples in class and will provide general parameters for both the factual and legal analysis.
- **NOTE:** the final grade, therefore, is determined by the grade on the term-paper, adjusted for class participation.

Course Website & Communications

CANVAS, Mental Health Law.

Each week, I will send an update thru CANVAS on the assignment for the next week. All readings for the class, other than the two books, will be posted on CANVAS. I will try not to over-communicate using CANVAS, but you should expect a steady flow of CANVAS communications about the class to ensure you are fully engaged and informed and having fun.

CLASSROOM POLICIES

Attendance and Class Participation

Consistent with the procedures of Law School Regulation 1.5, students must prepare for and attend class regularly. I will track attendance for each class. If a student receives written notice of failure to attend class regularly, and the student continues to fail to attend regularly, I will engage the Dean of Student Affairs.

Participation: as noted, you may be eligible for a grade “bump” up for excellent participation and/or grade “bump” down if participation is unsatisfactory. Any student who is in danger of receiving a grade reduction due to unsatisfactory participation will receive notice and a chance to correct the issue.

Commitment to Dialogue on Cross-Cultural Competencies, Racism and Bias

UC Davis School of Law is committed to ensuring that all students engage with issues of racism and other forms of subordination in the law. Our diverse student body – and our diverse faculty – come to these conversations with widely divergent experiences, opinions, and background knowledge. I will work to find the right methods and language to use in leading these discussions as they come up, and that will not always be easy. If you, or any of your classmates, have concerns or questions related to these discussions, please contact me directly as I would appreciate this dialogue. Alternatively, you may consult with our Director of Diversity and Student Life, our Dean of Students, or an ASP Tutor.

Disability Accommodation

The Student Disability Center (SDC) on main campus offers advising, assistance and resources to students with Medical, Mobility, Visual Disabilities, Deaf or hard of hearing (DOHH), Cognitive & Learning Disabilities, ADD/ADHD and Psychological Disabilities as well as for temporary impairments. Academic assistance/accommodations include testing accommodations, access to print material through assistive technology, reader services, braille, e-text, and enlarged print as well as a wide range of note taking tools, equipment to enhance sound, lecture recordings and tools to convert hard copy text into an electronic format on

demand. Students may wish to consult with their professors about how their accommodations may best be used to support the learning process. (No student is required to meet with the professor as a condition of requesting or receiving reasonable accommodations.)

With respect to mobility impairments, support services include SDC's shuttle service for temporary impairments and accessible bus transportation to campus for wheelchair users. Disability information and referrals to community resources are also available through the SDC. Students with disabilities must establish eligibility for services through the SDC and are encouraged to contact the SDC as early as possible:

UC Davis Disability Center

54 Cowell Building

(530) 752-3184 (voice)

(530) 752-6TDD (telephone device for persons who are deaf or low-hearing)

<http://sdc.ucdavis.edu>

Please reach out to the Senior Assistant Dean for Student Affairs, Emily Scivoletto, with any questions or concerns you may have in this area.

Religious Accommodation

UC Davis requires instructors to accommodate requests for alternate examination dates, without penalty, when they violate a student's religious creed (UCDPPM 210, §50). I have attempted to schedule any examinations in this course outside of major holidays. Still, if an examination in this course falls on a date that would violate your religious creed, please contact the Law School Registrar's office at registrar@law.ucdavis.edu and they will work with you to provide an alternative examination date.

Academic Honesty

Unauthorized assistance on examinations. Under the UC Davis Code of Academic Conduct, plagiarism includes:

- Taking credit for any work not created by the student; work includes, but is not limited to, books, articles, experimental methodology or results,

compositions, images, lectures, computer programs, internet postings, and content generated by software or artificial intelligence

- Copying any work not created by the student without indicating that it is copied and properly citing the source of the work
- Using ideas that are not the student's without putting such work in their own words or form and/or failing to provide proper citation

Be aware that misconduct in law school may be reported to the Bar, and may affect admission to the Bar. Please ask me before turning something in if you are unclear about what is acceptable.

Regulation 2.4 of the Law School's Regulations states as follows:

"2.4 The Honor System

- A. Unless the instructor announces otherwise, all written work at this school is governed by the honor system.
- B. Under the honor system students may neither give nor receive aid on written work.
- C. Any student who learns that another student has violated the honor system should report the violation to a member of the faculty or to the dean.
- D. Violations of the honor system will be treated in accordance with university disciplinary procedures."

The University's regulations on academic integrity can be found at:
<https://ossja.ucdavis.edu/code-academic-conduct>

ASSIGNMENTS and CLASS SCHEDULE

Class One – January 8

- An introduction to the definitions mental health conditions and then a first dive into the law of involuntary short-term commitment
 - Read: Nutshell pp. 9-24
 - Read: Legislation handout (CANVAS)

Class Two – January 22

- Case study of Laura Wilcox and California's Laura's Law providing for court-ordered Assisted Outpatient Treatment
 - Read: Nutshell pp. 166-171
 - Read: Criminalization pp. 154-183 (skip grey box discussions)
 - Read: Case study handout (CANVAS)

Class Three – January 29

- Case study of Eleanor Riese and the law of involuntary medication of persons with severe mental illness
 - Read: Nutshell pp. 33-34, 171-173
 - Read: Case study handout (CANVAS)

Class Four -- February 5

- Case study of Milton Dusky and the legal mandate that a criminal defendant must be mentally competent to stand trial
 - Read: Nutshell pp. 129-136
 - Read: Criminalization pp. 318-339
 - Read: Case study handout (CANVAS)
 - SUBMIT: Paper Topic

Class Five – February 12

- Field Trip: Courthouse tour and practical walk-thru the court process for persons with severe mental illness
 - No reading
 - Use this time to dig deep into your paper and prepare a solid outline with sources – time for exploring the subject and building the factual background and identifying legal issues and brainstorming

Class Six – February 20 (Tuesday)

- Case study of James Holmes and the legal defense of insanity
 - Read: Case study handout (CANVAS)
 - Read: Criminalization pp. 334-341 (re-reading 334-339)
 - Read: Nutshell pp. 105-124

Class Seven – February 26

- An introduction to California's new law creating CARE Courts and a discussion regarding the principles and practice of Mental Health Courts
 - Read: Legislation handout (CANVAS)
 - Read: Criminalization pp. 347-384

Class Eight – March 4

- Case study of Frank Addington and our second dive into the law of involuntary civil commitment and conservatorship
 - Read: Case study handout (CANVAS)
 - Read: Criminalization pp. 135-154
 - Read: Nutshell pp. 155-163

Class Nine – March 11

- Guest speakers: a discussion with local attorneys regarding the challenges of representing persons with severe mental illness
 - Read: Nutshell pp. 35-37, 137-139

- Each student to prepare three questions for the lawyers
- Submit paper outline

Class Ten – March 18

- Case study of Leanne Jensen and the Americans with Disabilities Act and the law of workplace protections and public accommodation for persons with mental disability
 - Read: Case study handout (CANVAS)
 - Read: Nutshell pp. 227-239

Class Eleven – April 1

- A discussion regarding legal issues associated with children with mental health conditions
 - Read: Nutshell pp. 175-177
 - Read: Class handouts TBD (CANVAS)

Class Twelve – April 8

- A discussion regarding policing and Crisis Intervention Teams and jail-based mental health care
 - Read: Criminalization pp. 195-233

Class Thirteen – April 15

- Guest speaker: a discussion with a lawyer for Legal Services of Northern California regarding services and benefits provided under the law to low-income persons with severe mental illness, including social security disability benefits
 - Read: Nutshell pp. 239-244
 - Each student to prepare three questions for the guest
 - Each student to submit one paragraph summary of paper (for use during class 14)

Class Fourteen – April 22

- Class Presentations regarding Final Papers. Each student to provide short summary of Final Paper and answer questions from the Class.
 - Each student to review fellow students paper summaries and prepare at least one question for each paper
 - Submit Rough Draft of Final Paper

FINAL PAPER DUE MAY 5

Exhibit J

Declaration of Majdi Abou Najm

I, Majdi Abou Najm, do hereby declare and say:

1. I, Majdi Abou Najm, am the father of Karim Abou Najm, who was killed by the Defendant.
2. I was present in court, for the majority of the 2025 Jury Trial in this case.
3. I was present in court, on May 28, 2025, during the testimony of Dr. Stephen Wiener.
4. During the testimony, Judge McAdam called the lawyers to the bench. The jury was still in the room. There was no white noise or anything else to prevent people in court from hearing what was being said.
5. I was sitting in the audience, behind the bar, on the opposite side of the courtroom from the lawyers, behind some of the alternate jurors.
6. I could hear the majority of what was being said by the judge to the lawyers. He was speaking in a loud voice, and it could be heard by anyone in the courtroom.
7. I no longer remember everything the judge said, but I remember him saying that he was "trying to help you guys," that "these are court appointed doctors," and "What are you doing? Why are you challenging?" Judge McAdam also made a comment about the prosecutors not bringing in their own witness.
8. Even if I had not been able to hear Judge McAdam, his body language matched and it was clear that he was angry and was yelling at the prosecutors.
9. When the judge was speaking, the judge was being verbally aggressive toward DDA De Moura and DDA Van Der Hoek.

I declare under penalty of perjury that the forgoing is true and correct; executed at Woodland, California, on December 9, 2025.

By: 
MAJDI ABOU NAJM

Exhibit K

Declaration of Frits van der Hoek

I, Frits van der Hoek, do hereby declare and say:

1. I, Frits van der Hoek, am a Supervising Deputy District Attorney for the Yolo County District Attorney.
2. I am an attorney duly licensed to practice before all the courts in the State of California. In 2025, I was one of the attorney's assigned to the jury trial of *People v. Dominguez*, Yolo County Court case number 23-3901.
3. During the jury trial, I suggested that white noise should be played at sidebars so that the jury could not hear what was being discussed.
4. After that suggestion, there was additional sidebars. White noise was not played during those sidebars.
5. During one of those sidebars, the court clerk gestured to the white noise controls, enquiring with Judge McAdam as to whether the white noise should be activated. Judge McAdam told the clerk to not activate the white noise.

I declare under penalty of perjury that the forgoing is true and correct; executed at Woodland, California, on December 16, 2025.

By: /s/ Frits van der Hoek
FRITS VAN DER HOEK / 300122
Supervising Deputy District Attorney

Exhibit M

Declaration of Frits van der Hoek

I, Frits van der Hoek, do hereby declare and say:

1. I, Frits van der Hoek, am a Supervising Deputy District Attorney for the Yolo County District Attorney.
2. I am an attorney duly licensed to practice before all the courts in the State of California. In 2025, I was one of the attorney's assigned to the jury trial of *People v. Dominguez*, Yolo County Court case number 23-3901.
3. During the jury trial, on May 30, 2025, during the testimony of Dr. Vinson, I made an objection related to non-testifying doctor's report. The attorney's approached at bench side and on approach, Defense Counsel referred to be before the court as "Dr. van der Hoek" in a manner that was clearly facetious and condescending.
4. I identified to Judge McAdam that an attorney had been insulted in his presence. Judge McAdam asked what had happened and I explained. Judge McAdam stated that he had not heard the remark and that it needed stop.
5. As we were walking away from the bench, Defense Counsel remarked "you are a Juris Doctor," in a manner that made it clear it was a facetious remark.
6. Later, Judge McAdam made comments on the record indicating that something had happened, but as if had been a mutual disagreement. (Tx at 3375:17-3376:6.)
7. Later, off the record, I asked Judge McAdam for an opportunity to make a record of what had happened.
8. Later, on the record, I again asked Judge McAdam for an opportunity to make a record, but Judge McAdam proceeded without a record being made.

I declare under penalty of perjury that the forgoing is true and correct; executed at Woodland, California, on December 9, 2025.

By: /s/ Frits van der Hoek
FRITS VAN DER HOEK / 300122
Supervising Deputy District Attorney

Exhibit N

To DA Van der Hoek:

I am a Yolo county resident and have been following the trial of the evil murderer, Carlos Reales Dominguez who was an illegal alien but somehow made it in to UC Davis' pre-med program! This is the result of insane California sanctuary city policies. But I digress.

I'm writing because I cannot believe the outrageous behavior of Judge Samuel Mc Adam in this case. I have only watched a few days, in small clips, of this trial, and the judge repeatedly publicly chastised you for cross examining defense experts and "wasting 20 minutes." Does this guy not know that you're doing your job? And he says nothing to the defense of parading psych so-called expert after expert for days, all saying the exact same thing! This judge appears →

(continued to other side)

to enjoy grandstand ~~SACRAMENTO~~ CA 957
of the cameras! He is
obviously on the side of the
defence, something a judge
should never do!!

On the other hand you and DA
Matthew De Moura are
completely professional and
have perfectly represented the
Yolo DA's office as well as
the legal profession in general!

If you lose this case, I hope
you will file a complaint
against this judge (you should
do it whether you win or lose!)
He should never even be an ambulance
chaser lawyer!!

PM 3 L



to
Yolo county Deputy DA
Frits van der Hoek

301 Second street

Woodland, CA

95695

↑
deserves a
big raise!!

Exhibit P

Frits van der Hoek

From: Daniel Hutchinson
Sent: Wednesday, October 15, 2025 4:47 PM
To: Amancio, Francisco
Cc: Matt De Moura; Frits van der Hoek; Richard Van Zandt
Subject: RE: Carlos Reales Dominguez, 10/16/25 1:30 EDC

Thank you. It will likely be Richard Van Vandt who will be appearing for me.

From: Amancio, Francisco <famancio@Yolo.Courts.Ca.Gov>
Sent: Wednesday, October 15, 2025 4:39 PM
To: Daniel Hutchinson <Daniel.Hutchinson@yolocounty.gov>
Cc: Matt De Moura <Matt.DeMoura@yolocounty.gov>; Frits van der Hoek <Frits.vanderHoek@yolocounty.gov>
Subject: RE: Carlos Reales Dominguez, 10/16/25 1:30 EDC

CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.

Good afternoon,

Judge McAdam let me know that he will be calling the case tomorrow, so if you are able to send someone to stand in. He did want me to let you know that he will not be addressing the substance of the motion and will only be addressing scheduling.

Thank you,
Francisco Amancio
Courtroom Clerk I
Yolo County Superior Court
(530)406-6729

From: Daniel Hutchinson <Daniel.Hutchinson@yolocounty.gov>
Sent: Tuesday, October 14, 2025 6:09 PM
To: Amancio, Francisco <famancio@Yolo.Courts.Ca.Gov>
Cc: Matt De Moura <Matt.DeMoura@yolocounty.gov>; Frits van der Hoek <Frits.vanderHoek@yolocounty.gov>
Subject: Carlos Reales Dominguez, 10/16/25 1:30 EDC

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Amancio:

An EDC is the Carlos Reales Dominguez case is scheduled for Thursday, October 16 at 1:30 in Dept 14. The People have also filed a motion for Mr. Reales Dominguez to be examined by a prosecution expert.

I am currently engaged in a PC 288 jury trial in the case of Enrique Urbina Mendoza in Dept 7 before Judge Richardson, which will likely continue at least through next Wednesday.

Due to a juror conflict on Friday, which may possibly lead to us being dark much of Friday, as well as at least one prosecution witness who I believe is only available Thursday, I do not believe it will be possible for me to be excused from the Urbina Mendoza Thursday afternoon.

I could have one of my colleagues stand in for me on behalf of Mr. Reales Dominguez, but that person would not be in a position to address any substantive issues. I am writing to alert Judge McAdam of my situation and to see if it might be feasible to continue the EDC until after the Urbina Mendoz trial has concluded.

Regards,

Dan Hutchinson

Exhibit S

November

2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6 LEVERS D1 PM ONLY MCADAM D14	7 MCADAM D14	8
9	10 BERONIO D5 BROWN D4 MCADAM D14	11 COURT HOLIDAY	12 BERONIO D5 BROWN D4 MAGUIRE D5 MCADAM D14	13 BERONIO D5 BROWN D4 MAGUIRE D5 MCADAM D14	14 BERONIO D5 BROWN D4 MAGUIRE D5 MCADAM D14	15
16	17 BROWN D4 MCADAM D14	18 BROWN D4 MCDADM D14	19 BROWN D4	20 BROWN D4	21 FALL D11 PM ONLY	22
23	24 BERONIO D3 FALL D11 HOHENWARTER D10 LEVERS D1	25 BERONIO D3 FALL D11 HOHENWARTER D10 LEVERS D1	26 BERONIO D3 FALL D11 HOHENWARTER D10 LEVERS D1	27 COURT HOLIDAY	28 COURT HOLIDAY	29
30						

December

2025

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 MCADAM D14 WOLK D8	2 MCADAM D14 WOLK D8	3 MCADAM D14 WOLK D8	4 BERONIO D3 MCADAM D14 WOLK D8	5 BERONIO D3 MCADAM D14 WOLK D8	6
7	8 MCADAM D14	9 MCADAM D14	10 MCADAM D14	11 MCADAM D14	12 MCADAM D14	13
14	15 BERONIO D3	16 BERONIO D3	17 BERONIO D3	18 BERONIO D3	19 BERONIO D3 DYER D6	20
21	22 CORTÉS D9 DYER D6 FALL D11 LEVERS D1 MCADAM D14 WOLK D8	23 CORTÉS D9 DYER D6 FALL D11 LEVERS D1 MCADAM D14 RICHARDSON D7 PM WOLK D8	24 CORTÉS D9 DYER D6 FALL D11 LEVERS D1 MCADAM D14 RICHARDSON D7 AM WOLK D8	25 COURT HOLIDAY	26 BERONIO D3 CORTÉS D9 DYER D6 FALL D11 LEVERS D1 MAGUIRE D5 MCADAM D14 RICHARDSON D7 WOLK D8	27
28	29 CORTÉS D9 DYER D6 FALL D11 LEVERS D1 MAGUIRE D5 WOLK D8	30 CORTÉS D9 DYER D6 FALL D11 LEVERS D1 MAGUIRE D5 WOLK D8	31 CORTÉS D9 DYER D6 FALL D11 LEVERS D1 MAGUIRE D5 WOLK D8			

SUPERIOR COURT NO. 23-1391
PROOF OF SERVICE

I, Ruben Rodarte, declare that I am over the age of eighteen years and not a party to the within entitled action. My business address is 301 Second Street, Woodland, California 95695.

On December 16, 2025, I served a copy of the within document:

PEOPLE'S WRITTEN VERIFIED STATEMENT OBJECTING TO TRIAL BEFORE JUDGE
MCADAM PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE 170.3(c)(1)

☒ by personally serving a true and correct copy to Yolo County Superior Court
Administrative Assistant Youa Chang, who stated she was accepting service on
behalf of Judge McAdam.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2025 at Woodland, California.


Ruben Rodarte

PROOF OF SERVICE

I, Olga Tapia, declare that I am over the age of eighteen years and not a party to the within entitled action. My business address is 301 Second Street, Woodland, California 95695. On December 16, 2025, I served a copy of the within document: **PEOPLE'S WRITTEN VERIFIED STATEMENT OBJECTING TO TRIAL BEFORE JUDGE MCADAM PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE 170.3(c)(1)**

by personal serving a true and correct copy to:

YOLO COUNTY PUBLIC DEFENDER
814 NORTH STREET
WOODLAND, CA 95695

I declare under penalty of perjury that the foregoing is true and correct.
Executed on December 16, 2025, at Woodland, California.

121 Olga Tapia

Olga Tapia