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Judge Dismisses Felony Case Because of Withheld Evidence Courts: Jurist rules that prosecutors failed to disclose a statement that might have exonerated woman charged with assault.

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A judge threw out a felony assault case against a Granada Hills Woman Tuesday after finding the prosecutor had withheld evidence that could have exonerated her.

Citing Deputy Dist. Atty. G. Michael Worchell's "unintentional failure to disclose statement made to the investigating officer," Los Angeles County Superior Court Judge Warren Greene dismissed charges of assault with a deadly weapon and child abuse against 20-year-old Stephanie Nicole Shekerlian, according to court documents.

Greene noted that the statements were "Brady" material, or evidence that could help the defendant prove her innocence. Prosecutors are legally obligated to turn over such evidence to the defense.

Many defense attorneys have complained that the district attorney's office often does not meet the requirements of the Brady law, named for a U.S. Supreme Court decision.

Earlier this month, allegations that Deputy Dist. Atty. Michael Duarte intentionally withheld evidence prompted a judge to grant a new trial to a man convicted of killing two witnesses in West Hills. Duarte has said he did nothing wrong.

To deal with the problems, the district attorney's office has established a Brady compliance division, which will begin evaluating evidence next month, said spokeswoman Jane Robison.

In Shekerlian's case, Worchell said he disagreed with Greene's ruling.

"I felt and feel that the information that the defendant was saying was not provided to her lawyer at the time of the preliminary hearing would not have affected [its outcome]," Worchell said.

Greene dismissed the charges against Shekerlian without prejudice, which means prosecutors could refile the case. Prosecutors said they did not know whether they would refile charges or appeal the judge's ruling.

"I feel really good. I feel like my nightmare is almost over," said a tearful Shekerlian, who faced up to 12 years in prison had she been convicted.

According to a motion to dismiss filed by Shekerlian's attorney, James Blatt, she was charged with running her car into a truck driven by her boyfriend, who had the couple's baby with him, on March 27.

The couple had fought earlier, and the boyfriend had threatened to take the child away forever, Blatt said.

Before Shekerlian's preliminary hearing in April, the boyfriend told Worchell and a Los Angeles Police Department officer: "I don't think she hit the truck purposely. She may be innocent," according to a court copy of a police officer's interview notes.

Worchell monitored the interview and knew about the statements, Blatt said.

The prosecutor did not disclose the statements during the preliminary hearing, after which a Los Angeles County Superior Court commissioner ordered Shekerlian to stand trial, Blatt said. Worchell released the statements more than a month later.

"The notes should have been turned over immediately," Blatt said. He added that it was "outrageous that a parent could be prosecuted for trying to prevent the kidnapping of her own child."

Robert Kalunian, a spokesman for the Los Angeles County public defender's office, said it's relatively uncommon for a judge to dismiss a case over a Brady violation. Judges often choose other remedies, such as granting the defense more time to evaluate the previously undisclosed evidence.