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## **Bail remains at \$2 million for Westminster officer accused in rape**

By Greg Hardesty

RANCHO CUCAMONGA – A combination of alcohol and a psychotropic drug, such as an antidepressant, may turn up in blood samples taken from a Westminster police officer accused in the kidnapping and brutal rape of a waitress in Fontana, his attorney said in an interview Tuesday.

James Blatt said he is waiting for results of toxicological tests on his client, Anthony Nicholas Orban, 30, who along with Jeff Thomas Jelinek, 30, a correctional officer, faces life in prison if convicted of the April 3 attack that began outside Ontario Mills Mall.

"There may be a logical, honest explanation as to why these events occurred," Blatt said after Orban and Jelinek appeared at a brief court hearing Tuesday in Rancho Cucamonga.

Blatt ruled out narcotics being in Orban's system, and wouldn't say if Orban admitted to taking an antidepressant. Blatt said he may look into whether post-traumatic stress disorder played a role in the alleged crime. Orban is a former Marine and Iraqi War veteran.

Orban and Jelinek are charged with raping the 25-year-old mother after she left work around 5 p.m. on April 3.

Police say Jelinek stood nearby and watched as Orban forced himself into the woman's car and ordered her at gunpoint to drive him to an industrial park in Fontana, where police say he raped her for an hour in daylight.

During the attack, he shoved the barrel of the gun in her mouth and threatened to kill her, and used his cell phone to take photos of the rape, according to a police report.

Both Orban and Jelinek pleaded not guilty to an 11-count felony complaint. They were arrested shortly after the attack when Orban's service revolver was found in the woman's car.

With some of their relatives watching, Orban and Jelinek appeared in court in Rancho Cucamonga for a bail hearing Tuesday. The hearing, however, was put off until April 28, and both men remain in custody on \$2 million bail each.

Wearing green jail jumpsuits and shackled in chains around their waists and ankles, Orban and Jelinek were brought out separately into the courtroom of Judge Michael Libutti.

Jelinek, of Ontario, said, "Yes, sir," when Libutti asked him if he understood that the hearing was being postponed, and Orban said. "Yes, your honor."

Both defendants, who are being held in protective custody, did not appear to make any eye contact with their family members and friends in the courtroom gallery.

Orban's wife, of Irvine, his sister and his parents were in the courtroom, according to Blatt. All of them had no comment on the charges against Orban, a five-year veteran of the Westminster Police Department and former infantryman.

Also at the hearing, two private attorneys took over representing Jelinek in place of a deputy public defender. Both Michael J. Munoz, of Azusa, and Ciprian Turcu, of Riverside, will serve as Jelinek's co-counselors.

In interviews outside of court, Munoz and Turcu declined to say whether they planned to take the case to trial, saying they haven't had a chance to read the police report and other documents.

In addition to rape and kidnapping under the legal theory of aiding and abetting the initial part of the crime, Jelinek is charged with being an accessory after the fact.

After the hearing, more than a half-dozen people who said they were in court on Jelinek's behalf declined to comment.

Blatt, in the interview, said Orban's family continues to be "deeply concerned" about the victim and the trauma she incurred.

"This is about the last thing they expected in relation to their son," Blatt said.