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FILED
Superior Court of California
County of Riverside
7/26/2019
X. Canchola
Electronically Filed

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF RIVERSIDE
12 (EASTERN)

13 THE PEOPLE OF THE STATE OF CALIFORNIA,
14 Plaintiff,

15 v.

16 O'CALLA

17 Defendant.

CASE NO. INM180

**OPPOSITION TO MOTION
FOR NEW TRIAL;
MEMORANDUM OF POINTS
AND AUTHORITIES**

Date: August 2nd, 2019
Judge: Hon. Otis Sterling, III
Dept: 2G

INTRODUCTION

23 Defendant was initially charged in this case with one count of Vehicle Code Section
24 23152(a) and one count of Vehicle Code Section 23152(b). At the conclusion of trial; the jury
25 returned verdicts of guilty of Count 1- VC 23152(a) and not guilty of VC 23152(b). Sentencing was
26 set for August 2nd, 2019 in Department 2G

27 On June 26th, 2019 the defendant filed a motion for new trial alleging prosecutorial
28 misconduct during Rebuttal argument. Specifically alleging the following; 1) That DDA
29 made statements that were mistake of law; and 2) That DDA
30 made inflammatory statements that were meant to appeal to the passion of the jury.