



NEWS RELEASE

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Fifth Appellate District Holds Special Session for Merced Students This Week

Fresno – As part of its outreach program for surrounding communities, the Court of Appeal, Fifth Appellate District, will hold a special oral argument session at 9:30 a.m. on Thursday, April 29, 2010, in the Merced County Board of Supervisors Chambers, 2222 M Street, Merced.

More than 120 students from Merced County high schools and Merced College will attend the oral argument in the Bakersfield murder case of *People v. Eduardo Mil*, F056605. Students will be permitted to ask questions of the justices after the hearing, which involves various legal issues, including the admission of hearsay evidence, the defendant's confrontation rights, and a jury instruction on felony murder.

Eight of the 10 justices on the Court of Appeal will travel to Merced, including Administrative Presiding Justice James A. Ardaiz and Associate Justices Steven M. Vartabedian, Rebecca A. Wiseman, Dennis A. Cornell, Gene M. Gomes, Betty L. Dawson, Brad R. Hill, and Stephen J. Kane.

Justices Wiseman, Cornell, and Dawson make up the appellate panel that will hear the oral argument in the murder case. Oral argument is an opportunity for the justices to question the appellate attorneys on the factual and legal issues raised in their written briefs previously submitted to the Court of Appeal.

After oral argument, the justices will participate in an educational forum with prelaw students and faculty at the University of California Merced. The forum will be held on campus and be limited to students and faculty from UC Merced because of space constraints.

Merced is one of nine counties that make up the Fifth Appellate District. The others are Fresno, Kern, Kings, Madera, Mariposa, Stanislaus, Tulare, and Tuolumne Counties. The Court of Appeal hears appeals from cases decided in each county's superior court, including criminal, civil, family law, juvenile delinquency and dependency, probate, and other types of cases.

Appellate courts do not conduct jury trials or accept additional evidence beyond what was originally considered in the superior court. Rather, they review written records and are bound by the facts as established in the superior court proceeding. The appellate court's role is to determine whether any legal error has occurred and, if so, whether it affected the outcome of the case. The public is welcome to attend oral argument.

For further information, please contact Clerk/Administrator Charlene Ynson, Court of Appeal, Fifth Appellate District, at 559-445-5989.

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