



Print Page

Hells Angels case trial is delayed again

By Kara Machado
Sentinel Reporter

HANFORD - A judge was expected to decide today whether to appoint the last Hells Angels case defendant a new attorney.

Timothy A. Lobretto, 43, was to begin his trial Monday. However, after almost three hours of a psychiatrist's testimony Thursday Judge Peter M. Schultz, "with great reluctance," granted a motion to postpone the trial.

Prosecutors, Deputy District Attorney Chris Gularte and Chief Trial Attorney Michael J. Reinhart, arrived at court Thursday morning to argue against a motion for continuance. However, rather than having Lobretto's attorney, John Feiner, appear in court with his client, two attorneys appeared on behalf of Feiner. The two said Feiner was experiencing an emotional medical problem that prohibited him from appearing in court.

Schultz denied the attorneys' request that Thursday's hearing be closed to the public - in order to have privacy when discussing Feiner's medical condition. The judge also ordered the attorneys to come back that afternoon and have Lobretto, who is not in custody, present.

In the afternoon, Feiner's psychiatrist, Dr. Jeffrey Glass, testified that his patient suffers from a bipolar disorder and is on medication to control it. Feiner had waived his doctor-patient right to confidentiality.

Apparently, Feiner called Glass Sunday to report a "significant decomposition of his condition." Glass said that Feiner, who's been a patient of his since 1998, is "most of the time well and able to perform normally" as an attorney. However, Glass testified, "on one occasion (he's suffering) severe depression and associated symptoms, such as severe anxiety, to the point he is unable to function normally."

Glass blamed Feiner's current condition on a change of medications.

Feiner had "recently undergone a medication change that had not gone well," Glass said, "and, due to that, he developed a recurrence (in his) illness that caused the current situation of his current problem with normal functioning."

Back on April 14, Lobretto was supposed to be the first of the Hells Angels defendants to go to trial.

However, Feiner suffered a self-inflicted gunshot wound the weekend prior. He claimed the shooting was accidental, but on Thursday, Glass testified that Feiner "had suicidal thoughts" at the time of the shooting.

Schultz described Glass' testimony as "persuasive evidence" that Feiner "suffers a serious mental illness (that) makes it impossible for Mr. Lobretto to go to trial next week."

"If I were Mr. Lobretto, I'd be extremely disgusted with (the) continuance," Schultz said in court.

Lobretto was asked, by Schultz, if he would like Feiner to continue to represent him. Lobretto said he would. The judge then said that something would have to be done to secure stability in Lobretto's defense before he could reschedule a trial date.

"It appears quite clear it would be folly to reschedule a trial with only" Feiner representing Lobretto, Schultz said in court.

Schultz said that there would have to be an alternative for Lobretto to receive effective representation: Remove Feiner; allow Lobretto to represent himself only if he recruits another attorney who would have the ability to stand in for him in trial should the need arise; or allow the court to appoint counsel to associate with Feiner and be "ready to go to court the next day" should the need arise.

Thursday's continuance was described to Schultz by Reinhart as an "extravagant" attempt to delay, once again, Lobretto's trial.

"It seems as if Mr. Feiner is going to extreme measures not to go to trial," Reinhart told the judge.

Outside the courtroom, Gularte said the ongoing continuances are an inconvenience for the prosecuting team, law enforcemer victims and the witnesses, "as well as the citizens of Kings County."

"To say the People are upset at the dilatory tactics of the defense is an understatement," Gularte said. "However, we still look forward to presenting our case in court and eagerly await that day."

The Hells Angels case stems from incidents that occurred on March 4 and 8, 2001 when Paul Goonan and Andrew Randazzo, members of the now-defunct local motorcycle club, the Exiled, were beaten, burglarized, falsely imprisoned and intimidated. TI District Attorney's Office has maintained that those involved in the crimes against Goonan and Randazzo were members of the Fresno chapter of the Hells Angels or, in some way, associated with them.

DA's officials have said there were 16 defendants in the Hells Angels case: Five pleaded out early on in court proceedings; fou to trial and were sentenced; and six other defendants accepted plea offers before their trial.

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(Oct. 24, 2003)

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