

Guilty pleas entered in Chukchansi office raid case

By Marc Benjamin

Friends and family members express relief after Friday's Chukchansi hearings in Madera. THEFRESNOBEE

- *Seven more defendants could enter pleas on May 15.*
- *Each man faced 29 felony counts in the casino office raid.*
- *Most will plead guilty to one count of trespassing.*

Five men charged in the Chukchansi Gold Resort & Casino office raid case accepted plea deals Friday, while another man had his case dismissed in Madera County Superior Court.

Another seven men seem willing to take similar deals that require pleading guilty to one count of trespassing, agreeing to stay away from the Chukchansi rancheria and remaining crime free for a year. It will leave only two men whose cases would go to a preliminary hearing.

Tribal Council Member Vernon King, who was released from Madera County Jail on Friday, said he wanted to wait to consult further with his lawyer before agreeing to a plea. He had been in jail since November. One tribal police officer, John Cayanne, also didn't agree to plead guilty.

Madera County District Attorney David Linn said both men could take a plea offer before their next hearings on May 29, when a preliminary hearing will be scheduled.

Tex McDonald, the former tribal council chairman, could be released upon his sentencing on July 2.

"We set that date because he will have had enough time to have served the 16-month sentence," said McDonald's lawyer, Antonio Alvarez.

McDonald, who pleaded guilty Friday to one count of felony false imprisonment, also has been in jail since November. His sentence will be 16 months, but with time credits, he will only need to serve half that time.

After the hearing, McDonald's girlfriend, Jeanette Sample, said she was encouraged by Friday's result. McDonald, who pleaded to a non-strike felony, has two criminal strikes after serving time in prison. After his last prison stint, he went to college and became a substance abuse counselor in Fresno. If convicted of a third strike, McDonald, 64, could have faced life in prison.

"I'm overwhelmed that Tex will be getting out in July," Sample said. "I'm also overwhelmed that Vernon will be released today."

Vernon's brother, Norman King, said his family was excited that King was being released. King's release will be supervised by Madera County probation officers.

"A lot of people have waited for this moment, and I don't think we expected it to go on this long," he said. "There will be a nice homecoming celebration today."

The defendants conducted the gaming office raid on Oct. 9 in an attempt to get documents related to tribal audits for two years that had not been sent to the National Indian Gaming Commission. Members of the McDonald faction's

police intended to recover audit records to send them to the commission. A week earlier, the commission had told tribal officials that the casino would close on Oct. 27 if the commission didn't receive the tribe's gaming audits for 2013 and 2014. The McDonald faction had lost control of the casino six weeks earlier when members of the Reggie Lewis-Nancy Ayala faction entered the casino and took control of gaming and hotel operations.

Madera County's criminal case against one man, Miguel Ramos, was dismissed because it was proven that he wasn't involved in any fights, said Linn.

He said he wanted guilty pleas to have an admission from the men involved in the office raid.

But he also recognized that the men who served as tribal officers are in law enforcement or contract with the military and could be unemployable if they are found guilty of a serious crime.

The seven men who haven't entered pleas will have their cases heard on May 15.

Lawyer Mark Coleman, who represents nine of the defendants, said seven would plead guilty to trespassing, but he needs their signatures on documents to acknowledge the plea agreement.

"Because of the number of people I represent, I just need the additional time to make sure they understand clearly all the consequences," Coleman said. "It's preferable to send them a plea agreement and have them initial and sign it so the record is clean."

He is not sure Cayanne will change his mind.

"He just is firmly convinced that they were authorized to do what they did," Coleman said. "For him, it's a matter of principle."

Coleman's other client, Eric Suniga, a former Chukchansi Gold employee, pleaded guilty to trespassing and was ordered to remain crime free and not visit the Chukchansi rancheria for a year. The same terms will be in place for Coleman's other clients.

"My clients have absolutely no interest in going back to the rancheria," he said.

Linn said King and Cayanne could change their minds on their pleas. He also said he is confident the men will successfully complete the terms of their plea agreement.

"I believe they will behave and life will return to normal," Linn said. "Many are retired police and military, we don't want to mess up their lives."

Judge Dale Blea pointed out that he has control over whether to agree to clearing the misdemeanor trespassing conviction from the defendants' records when they return to court in six months or a year.

Tribal Police Chief John Oliveira, officer David Anderson and tribal employee Tyrone Bishop also pleaded guilty. They were ordered to stay away from the rancheria for six months and remain crime free for six months. If they meet the terms of the agreement, the trespassing count will be dismissed.

"At the end of the day, it's a dismissal," Oliveira said Friday. "I haven't been arrested in 46 years and I don't expect to be arrested in the next six months."

Oliveira said Linn was placed in a difficult position by his predecessor, Michael Keitz, who filed 29 felony counts against the 15 men on Oct. 31.

"People should be astute enough to know that this is not a victory for the prosecution," Oliveira said.

Linn said King and McDonald are the only people who can visit the rancheria. He said his office can't restrict them.

He said the criminal cases do not prevent civil claims against Madera County from moving forward. Each man has filed a claim seeking in excess of \$1 million.

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