

Suit . . .

(Continued from B-1)

quitted by a jury of all charges on Oct. 27, Summers' 42nd birthday.

The five-month trial was held in Judge Hyde's court.

Appearing for Summers Tuesday was San Bernardino attorney Timothy Guhin who was appointed by the court to represent Summers during his trial.

Although Guhin was not formally retained by Summers to represent him Tuesday, Guhin told Judge Hyde he was in court as a "friend and as a person who can't (bear) to see loose ends lying around."

Guhin told the judge he talked with Summers by phone Sunday and that Summers told him he could not afford to obey the judge's subpoena to make an appearance in court.

Arguing against the judge's lien, Guhin said, "There is no complaint pending and there is no lawsuit filed at this time."

Describing the judge's actions as an "exercise in futility," Guhin explained that the lien applies to money which now does not exist.

Guhin did not dispute that the judge had the authority to have a hearing six months after the trial to determine if Summers were able to make a reimbursement. Today marks the end of that six-month period.

But, Guhin did argue that the law does not give the judge the power to place a lien on future assets.

The law concerning reimbursement for costs of indigent defense only relates to the defendant's "present ability" to pay, Guhin said.

The judge, disagreed, but did describe the matter before him as a "novel situation."

Hyde did not say what portion of Summers' defense cost should

be paid if the former defendant were to come into some funds as the plaintiff in a civil suit. He did make the point, however, that he felt taxpayers should be reimbursed.



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| April 28 | 7:30 p.m. |
| April 29 | 7:30 p.m. |
| April 30 | 2 & 7:30 |
| May 1 | 1 p.m. |
| | 7:30 p.m. |
| May 1 | 11-4 p.m. |
| May 2 | 7:30 p.m. |
| May 3 | 7:30 p.m. |
| May 4 | 7:30 p.m. |
| May 5 | 7:30 p.m. |
| May 6 | 7:30 p.m. |