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PRESS RELEASE

For Immediate Release

Date: May 14, 2008
Re: Onesavanh, Khim (1076489)& Sidavong
(1079495)

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that George Onesavanh, age 25, of Stockton, Sam Khim, age 26, of Stockton and David Sidavong, age 19, of Modesto were convicted on May 13, 2008 as follows: Onesavanh – two counts of voluntary manslaughter and personally using a firearm and that the crimes were for the benefit of a criminal street gang; Khim – one count of voluntary manslaughter and being armed during the commission of the crime and that the crime was for the benefit of a criminal street gang; and Sidavong – one count of voluntary manslaughter and that the crime was for the benefit of a criminal street gang. The defendants entered pleas of no contest during a seven-day preliminary hearing. Deputy District Attorney Michael D. Houston prosecuted the case.

The case arose out of events which occurred on 3 June 2004 in the city of Modesto. The three defendants, along with two others, were at the Saigon Market in downtown Modesto when they saw a car driven by Edward Peoples and also occupied by Ramone Rosado drive by their location. Recognizing Peoples and Rosado, Onesavanh, Khim, Sidavong and the two others jumped into their car with Onesavanh yelling at Khim to follow the car. While they were trying to catch up with Peoples's car, Sidavong handed Onesavanh a 9 mm handgun. When they pulled up next to Peoples's car, Onesavanh fired approximately 10 times, killing both Peoples and Rosado.

During the preliminary hearing, there was some testimony that before the shooting, someone in Peoples's car yelled "C-DUB" – gang parlance for "CWA" – a criminal street gang known as Cambodians With Attitudes. Onesavanh and Khim were active gang members of the Stockton street gang known as "ABZ" – Asian Boyz and Sidavong was a documented active gang member of the Modesto "ABZ" gang.

During the preliminary hearing, there was testimony that Peoples and Rosado were present almost a month before this shooting at a house on J St. when Bobby Bue, a member of "CWA", shot and killed two "ABZ" gang members. Bue pled no contest on December 5, 2006 and was sentenced to 11 years, 8 months in state prison on February 5, 2007.

All three were originally charged with two counts of deliberate and premeditated murder, use of a firearm, committing the crimes for the benefit of a criminal street gang and special circumstances of committing multiple murders, discharging a firearm from a vehicle and an intentional killing during active participation in a criminal street gang.

An agreement was made between the prosecution, the defense counsel for each of the defendants and the court for Onesavanh to receive 21 years in state prison, Khim to receive 14 years in state prison and Sidavong to receive 13 years in state prison at the sentencing hearing scheduled for July 9, 2009.

District Attorney Fladager cited potential problems of proof at trial, witness memory problems and that a key witness in the Onesavanh car had recently been arrested on unrelated charges as reasons for the plea agreement.

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