

# State court denies Trailside appeals

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All of the defense appeals in the Trailside killer case have been denied by a state appellate court in Los Angeles, clearing the way for a trial soon.

Santa Cruz District Attorney Art Danner said the petitions by defense attorneys were turned down late Thursday afternoon in Second District Court in Los Angeles. The case has been transferred to Los Angeles because of pre-trial publicity.

In addition to denying the writs of appeal, the high court also lifted the "stays" (delays) that had been imposed earlier, while the appeals were under consideration.

Attempts by The Sentinel to reach defense attorneys Larry Biggam and Gerard Christensen of the public defender's office were unsuccessful this morning. However, Danner said he expects the defense to take some of the issues up on appeal to the state Supreme Court.

The defense had appealed Superior Court Judge Chris Cottle's rulings on three major issues. They are whether Trailside suspect David Carpenter, 52, can

be charged with a special allegation of "lying in wait," whether Carpenter should be tried on two murder charges at one time, and a challenge to the admissibility of certain evidence against Carpenter.

Carpenter is accused in Santa Cruz County of the murders of Ellen Marie Hansen, 20, a UC-Davis coed, and Heather Scaggs, also 20, of San Jose.

In addition, Carpenter is charged with the attempted murder of Hansen's boyfriend, Steven Haertle, 21, of Davis. Haertle provided key, eyewitness testimony at the preliminary hearing, linking Carpenter to the shootings.

Carpenter is also charged with special allegations of lying in wait and rape that could bring the death penalty if convicted. He also faces five murder charges and more than a dozen special allegations in Marin County.

Carpenter became known as the trailside killer suspect after a series of shootings on popular hiking trails over a nearly two-year period.

Danner said he expects the next step in the proceedings will be a defense move to obtain more evidence. Danner said he will try to get a date next week in Superior Court to consider that move.

Trailside Murders