

## State v. Estephan

The Defendant was accused of breaking a bar glass on the complainant's eye socket with the subsequent injury requiring over 100 stitches. The Defendant declined an offer of a plea to Assault Causing Injury and a recommendation of a six month jail sentence. He went to trial on a Willful Injury charge even though conviction would have meant a mandatory prison term. The jury acquitted the Defendant of the charge of Willful Injury and three lesser included assault charges by simply finding him not guilty of anything. The Trial Information and ruling are below.

IN THE IOWA DISTRICT COURT IN AND FOR JOHNSON COUNTY

D  
DA  
AD

THE

STATE OF IOWA 339610000

TRIAL INFORMATION

VS.

No. FECRO49835

ANTOINE GEORGE ESTEPHAN  
15 W 222 Concorol  
Elmhurst, IL 60126

DOB: 07-09-79

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FILED

COMES NOW Anne M. Lahey as Prosecuting Attorney for Johnson County, Iowa, and in the name and by the authority of the State of Iowa, accuses the said Antoine George Estephan of the crime of Willful Injury committed as follows: The said Antoine George Estephan on or about the 14<sup>th</sup> day of November, 1998, in the County of Johnson, State of Iowa, did an act of physical contact meant to be insulting and/or offensive to another and intended to cause serious injury to another and did cause serious injury, to-wit: Defendant hit a male subject in the face/head area very close to his eye causing severe lacerations resulting in scarring, in violation of Section(s) 708.4 of the Code of Iowa.

A TRUE INFORMATION



ANNE M. LAHEY 339610002  
PROSECUTING ATTORNEY

MEMORANDUM OF TESTIMONY OF STATE'S WITNESSES

The witnesses listed below will testify on behalf of the State of Iowa substantially as follows:

ROBERT ANDREW VAHL

Robert Andrew Vahl will testify his address is 13455 Feather Courts, Orland Park, Illinois. He will testify as follows: Around 1:00 A.M. on November 14, 1998, he was located in the runway leaving the Union Bar waiting to leave with his girlfriend. While waiting he was sharply bumped by a person he will identify as the Defendant. He did not know the defendant and said to him, "Easy, buddy!" and Defendant got angry and said, "What Bitch?" and other expletives. Defendant struck the left side of his face with what appeared to be a glass. He then remembered bleeding from the face and head area and was taken to University Hospitals. He received approximately one hundred plus stitches to close his wounds. One wound was extremely close to his eye and he has scarring from the incident. He will identify the Defendant as the one who struck him with the glass. He may testify to additional facts and circumstances.

R. A. MEBUS

R.A. Mebus will testify he is a police officer with the City of Iowa City. He will testify as follows: In the early morning hours of November 14, 1998, at approximately 12:55 A.M. he and officers were dispatched to the Union Bar to a report of a fight. Officer Sammons and Miller and Officer Hurd responded also. As he got to the door, Officer Miller and Sammons and Union staff had two white male subjects in hand and were coming to the door. The staff indicated the two subjects were participants in a fight just inside the doors leading into the dance floor area. As Officers Miller and Sammons took the two fellows away from the door, staff members Pat Sadekam reported to him that there was another fellow in the back that was bleeding badly from this incident. He called for an ambulance and Sadekam took him to the basement level to the rear. There he met Robert Vahl. Vahl was bleeding severely from lacerations on the face and head. He could see deep lacerations on Vahl's temple area right next to his left eye and all the way down his cheek, and back toward his ear. Direct pressure was not stopping the bleeding. He remained with Vahl until paramedics arrived. He asked Vahl what happened. Vahl said he was near the stairs just inside the entry door to the dance floor area. There were subjects coming down the stairs. Vahl said one of the subjects bumped into him and Vahl said he commented to the subject to take it easy. Vahl said the subject turned and replied, "What Bitch?" Vahl said an altercation started when the fellow hit him on the side of the face/head with what he thought was a glass. Vahl said staff was there very quickly and removed his assailant and his friend, Vahl described the fellow who hit him as a white male, shorter, thin build. He described

EDWARD F. STEPHAN  
CLERK OF DISTRICT COURT  
JOHNSON COUNTY, IOWA  
DEC 28 PM 4:17  
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