

1 MARTHA CARLTON-MAGANA
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6 Attorney for BAJIT SINGH ATHWAL

7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

8 IN AND FOR THE COUNTY OF STANISLAUS

9 PEOPLE OF THE STATE OF
10 CALIFORNIA,

Case No. 1490969

11 Plaintiff,

DECLARATION OF DOUGLAS D.
MANER IN SUPPORT OF
MOTION TO RECUSE

12 vs.

13 FRANK CLIFFORD CARSON,
14 BALJIT ATHWAL,
15 DALJIT ATWAL,
16 WALTER WESLEY WELLS,
17 GEORGIA DEFILIPPO,
18 CHRISTINA DEFILIPPO,
19 EDUARDO QUINTARA,
20 SCOTT MACFARLANE,

Date: TBD
Time: TBD
Dept. 26
The Honorable Barbara Zuniga
Presiding

21 Defendants.

22 I, DOUGLAS D. MANER, declare:

23 1. I am an attorney licensed to practice in the courts of the State of California. I
24 make this declaration of my personal knowledge and as to those facts based on
25 information and belief, I believe them to be true.

26 2. I have been an active member of the California State Bar in good standing since
27 1983. I was employed as a Deputy District Attorney with the Stanislaus County District

Declaration of Doug Maner

1 Attorney's Office from March 18, 1991 through October 7, 2013. I have practiced
2 criminal defense, primarily in Stanislaus County, since October 7, 2013.

3 3. I am personally familiar, and have observed first-hand, the attitudes and opinions
4 of Stanislaus County District Attorney office management regarding Frank Carson.

5 4. I have personally overheard employees of the SCDA Office make statements
6 against Frank Carson which were derogatory, personally demeaning, unprofessional and
insulting.

7 5. I have personally read written statements against Frank Carson which were
8 similarly derogatory, personally demeaning, unprofessional and insulting.

9 6. I am informed and believe that many of the statements overheard and read were in
10 violation of the Stanislaus County Employee Manual Employee Conduct/Behavior
Expectations as contained in Tab 16.

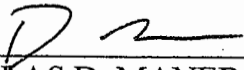
11 7. In my personal experience I observed that the negative attitudes and conduct
12 against Frank Carson were pervasive throughout the District Attorney's Office and often
13 made by or encouraged by District Attorney office management including the District
14 Attorney herself, and the District Attorney Chief Deputies. I believe an atmosphere and
15 climate of anti-Carson rhetoric has been encouraged since Birgit Fladager's election in
2006, if not before.

16 8. I also personally observed that when deputy district attorney's prevailed against
17 Frank Carson, District Attorney management was more effusive in its compliments and
18 kudos than when a deputy had prevailed against some other defense attorney. In my
19 experience, no other defense attorney has ever had the same level of disrespect and
animosity as I have observed directed toward Frank Carson.

20 9. I am personally aware of two occasions that District Attorney management
21 contacted the State Bar to request Frank Carson be reprimanded, disciplined or disbarred.

22 10. I was employed with the Stanislaus County District Attorney for 23 years. In
23 those 23 years of practice, other than the case of Laci Peterson, I have never seen as
24 much effort devoted to a single case. In my opinion, the motivation for the tremendous
25 amount of DA investigator and attorney hours and allocation of other resources is due to
26 the fact that Frank Carson was considered a suspect to the Kaufman homicide.

1 I declare under penalty of perjury under the laws of the State of California, that the
2 foregoing is true and correct and that this declaration was executed in Modesto,
3 California on October 28, 2015.

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6 DOUGLAS D. MANER
7 CA STATE BAR NO. 107648

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