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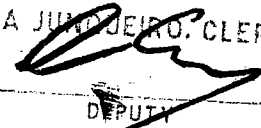
7 Attorneys for Plaintiff

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN
9 STOCKTON BRANCH

10	The People of the State of California,)	No. SF111539(A)
11)	
11	Plaintiff,)	PEOPLE'S OPPOSITION TO
12)	DEFENSE MOTION TO
12	v.)	DISINTER SANDRA CANTU'S
13	MELISSA CHANTEL HUCKABY)	BODY
14)	DATE: 04/24/09
14)	TIME: 1:00 pm 12:45
15	<u>Defendant(s).</u>)	DEPT: 28 35

16 Defense cites no relevant case or statutory authority to
17 support his request to disinter Sandra Cantu's body. He supplies no
18 information that another autopsy is even feasible at this point. He
19 does not specify any particular reason why notes, slides, tissue
20 samples, and photographs routinely taken by coroners in accordance
21 with duties set forth in Government Code section 27491 are
22 inadequate for evaluations by someone else or that Dr. Omalu lacks
23 expertise or training. Nor has defense demonstrated with sufficient
24 particularity the potential value of an attempt at a second autopsy.

25 Under California law the surviving kin have the right to
26 control disposition of the remains and have a reasonable expectation
27 of privacy with respect to dead persons. People v. Roehler (1985)
28 167 Cal.App.3d 353 at pp. 375-376. Case law specifically holds the

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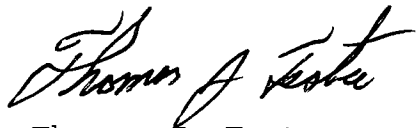
1 right to privacy and personal dignity outweighs defendant's right to
2 cross examine witnesses. *People v. Adams* 216 Cal.App.3d 1431 at p.
3 1438-1439. Sandra Cantu's family adamantly opposes defense attempts
4 to open the casket, removing Sandra's body and performing another
5 autopsy on her.

6 Dated: 04/20/2009

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Respectfully submitted,

James P. Willett
District Attorney



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Deputy District Attorney