

# Los Angeles Times

## **Prosecutors Oppose Lopez's Appeal; Though two victims now say convicted teen wasn't robber, attorney general's office files motion standing by case presented in trial.**

State prosecutors Friday filed court papers opposing a Garden Grove teenager's appeal of a robbery conviction that has come under attack by his alleged victims.

George Lopez, 18, maintains he was wrongly convicted of a 1999 Anaheim armed robbery--and two of his alleged victims now contend he is innocent.

But the state attorney general's office argued in a motion with the 4th District Court of Appeal that there was ample evidence to support Lopez's conviction.

The motion marked the first time state prosecutors have revealed their opinion on the case.

Lopez, serving a 13-year sentence at the state prison in Blythe, insisted in an interview that he was innocent. He was linked to the case one week after the robbery when police stopped him riding in a car with a shotgun used in the crime.

Two victims of the loan office robbery told a prosecutor outside the courtroom last year that they had doubts Lopez was the gunman who robbed them. But Lopez's lawyer, Charles Stoddard, chose not to recall them as witnesses to discuss their doubts. Lopez's appeals lawyers have accused Stoddard of providing an incompetent defense, largely because of that decision.

Deputy Atty. Gen. Laura Halgren defended Stoddard's decision, saying the witnesses never identified Lopez as the gunman, a point he was able to argue to the jury.

"That's a call trial counsel has to make," Halgren said.

**Jim Crawford, the Orange attorney handling Lopez's appeal, said the decision was such a serious mistake that it deprived Lopez of a fair trial.**

**"There's no imaginable tactical decision why he would not have recalled two witnesses prepared to testify that George did not commit the robberies," Crawford said. "No damage could have been incurred by recalling these witnesses to testify."**

The appeals court has several options, including scheduling a hearing or sending the case back to the trial court for further hearings. Another issue likely to be addressed is a juror's statement last month that the panel convicted Lopez in part because he did not testify--an issue they are prohibited from considering.

Credit: TIMES STAFF WRITER