

**Christina Proctor**

December 19, 2001

## won't face second trial

will not be retried next month on charges that he raped a 16-year-old girl in her home in Meyers.

first trial in October ended in a hung jury after a day and a half of deliberations. At that time, a new trial date was set, but this month the El Dorado County District Attorney's Office said it would not be proceeding with the prosecution and the mistrial verdict would stand.

The district attorney's office could refile the case anytime in the next 10 years.

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41, has continually denied the charges.

While on the stand testifying in his own defense said, "I was not there. I did not do it."

spent seven months in the county jail awaiting trial. He was released on bail Oct. 16.

During the trial, the defense brought witnesses who placed in Santa Barbara picking up a load of avocados during one of the days in question.

was accused of raping the girl, a close relative, in her home on Feb. 10 and 12.

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