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EL CAJON MAN ACQUITTED OF MURDER CHARGES

EL CAJON (Sept. 18, 2009) -- A Superior Court jury acquitted an El Cajon man of two counts of murder today in the deaths of two motorists killed in a 2008 traffic accident in Ramona.

The verdict came on the third day of deliberations in a case in which defense attorney Kerry Steigerwalt told the panel that defendant Shannon Shimp's role in the accident did not rise to the level of murder.

Shimp, 36, could have been sentenced to two life prison terms had he been convicted of the murder charges. In rejecting the murder counts, the jury found the appropriate crime in the case was gross vehicular manslaughter, for which Shimp now faces a sentence of between 10 to 17 years.

"Although this was a tragic case in which two people unfortunately lost their lives we felt this was not a murder case as prosecuted by the District Attorney's Office," said Steigerwalt after the verdict.

"Mr. Shimp is incredibly remorseful about his actions and will have to live with the realization that two people are dead because of his actions but he never

intended to harm anyone and there was no evidence of the malice required to substantiate a guilty verdict or having to spend the rest of his life in prison.”

“Mr. Shimp and his family want to make it clear to everyone that they sincerely regret the events of that day but justice in no way would have been served by a murder conviction. This case was tried before a jury of his peers and their verdict shows that they agree that Mr. Shimp did not commit two murders.”

During the trial Steigerwalt told the jurors that the defense was not contesting that Shimp was driving while intoxicated with drugs in his system and caused the accident. However, he told panel of eight men and four women that Shimp did not commit murders.

Steigerwalt said jurors told him after the verdict that they carefully weighed all the evidence and applied the law to the facts before their decision. They said they went over the jury instructions about malice several times before agreeing to acquit Shimp of murder, he said.

Steigerwalt also presented evidence that the back tires on Shimp’s truck were underinflated and told jurors that factor may have contributed to Shimp losing control of his vehicle.

The accident occurred on state Route 78 about 6 p.m. on July 22, 2008. Shimp was driving a white flatbed utility truck eastbound on the highway when he lost control of his truck and skidded sideways into an oncoming car.

Witnesses testified that Shimp had crossed over double yellow lines into the westbound lane and was passing three other vehicles in an area with blind curves in the Chevrolet 3500 one-ton truck prior to the crash.

Killed in the crash were Ian Kinney, 19, of Julian, who was driving the westbound vehicle, and Joseph Edwards, 52, a Ramona man who was a passenger in Shimp’s truck. Kinney’s girlfriend, Tessa Medearis, 19, of Vista, was a passenger and was injured in the accident.

Shimp was taken to a hospital where two hours later he was found to have a blood-alcohol level of .19 of a percent, more than twice the legal limit of .08 at which a driver is presumed drunk. A measurable amount of methamphetamine also was found in his system, according to the evidence.

The jury also found Shimp guilty of the drunken driving charges. Sentencing is scheduled for Jan. 8, 2010 before Judge Herbert Exarhos. The trial began Sept. 8.

Longtime San Diego trial lawyer Kerry Steigerwalt is the managing partner of KSPLC and has built his career through a string of high-profile cases, including

death penalty trials, over two decades. He has become one of the region's most sought-after defense lawyers and is a common contributor to local and national media, offering insight into legal cases through his decades of experience in the courtroom. He has appeared on such television shows as "48 Hours," "Court TV," "The O'Reilly Factor" and Fox News as well as numerous other media outlets.