



## Gay defendants vex court

by Eric Firpo  
Sep 21, 2009 | 1453 views |

A judge today continued to grapple with how to deal with San Joaquin County's first case of married gay defendants who have been accused of killing a Tracy woman Aug. 6.

Judge Bernard Garber refused to allow the two accused killers to meet together with their attorneys at the jail for four hours a time or sit next to each other in court. But he will wait until he hears from jailers before he rules on whether the two men can ride on the same bus to court or stay in the same holding cell once they get there.

Robert Anthony Morgan, 39, told the court today that he and his co-defendant Jorge Morgan, 24, are being terrorized and harassed at the jail, where they have been held since their Aug. 7 arrest in the killing of Cynthia Ramos, 58.

The Morgans have been barred from seeing each other at the jail, as other inmates classified as ex-gang members do, Anthony Morgan testified today. The pair also wants to be able to ride the same bus to court and stay in the same court holding cell as well so they can talk about their case.

Jorge Morgan attorney Eric Taylor and Robert Morgan attorney Charles Slote failed to convince Garber there were good enough reasons to let the two men sit next to each other, or meet together at the jail.

Garber said defendants are not allowed to talk to each other in court, and can always communicate through their attorneys. In court, the two defendants are separated by one attorney.

While Slote tried to convince Garber otherwise, Jorge Morgan turned to talk to a bailiff. Garber pointed out what he saw as a distraction.

"It's disruptive," the judge said.

Attorney Matt Dacey, who works for the County Counsel's office, argued that the jail has no place where two attorneys and two defendants would be able to talk together for four hours at a time, which is what Slote asked for. Dacey said that's typically not done, and said the jail should not have to make special arrangements for these defendants. The judge agreed.

"I want everyone treated the same," Garber said.

But the judge will wait to rule on other issues until a Thursday hearing, when he will hear from a sergeant at the jail to explain why the two defendants were ordered to be kept apart.

[http://www.tracypress.com/view/full\\_story/3670805/article-Gay-defendants-vex-court?](http://www.tracypress.com/view/full_story/3670805/article-Gay-defendants-vex-court?)

Robert Morgan, who said he studied criminal justice for a time in college, told the judge that other inmates classified as "gang drop-outs" mingle freely in jail, ride buses together and stay in the same cell at the courthouse.

"It's obvious to me that the D.A. is trying to hamper our case," said Robert Morgan, who told the court the two are "legally married."

The Morgans will be back in court at 9 a.m. Thursday to try to resolve the remaining issues related to the two being kept apart.

They pleaded not guilty to charges of burglary, robbery and murder. Because they were convicted of at least two prior serious felonies, this case could earn them life in prison if convicted.

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« [MaMaTo2](#) wrote on Monday, Sep 28 at 02:43 PM »

It is another sad situation of having to tip toe around a gay couple. Last time I checked the people of California voted no to same sex marriage...again! Why should they get treated than any other criminal? Probably because the courts are so damn afraid of these stupid "political" lawsuits that people always seem to throw around. Keep them seperated. Treat them like you would any other criminal in jail!

« [FrostySnowball](#) wrote on Monday, Sep 21 at 09:02 PM »

The article should be called - Gay's Once Again SEX the Courts.

But this court should be more concerned about the victim who doesn't get to decide who's she's having for breakfast today.

Maybe she was harassed and terrorized while these two horn-dogs show absolutely no remorse and can't the judge let them share a chair that plugs into an outlet?

Isn't this what you call blind justice?

« [Tinfoil](#) wrote on Monday, Sep 21 at 04:27 PM »

It's obvious what the two want. One last smooching-session and some humpity humpity before the switch is thrown.

« [tracymomofone](#) wrote on Monday, Sep 21 at 04:11 PM »

last anonymous by tracymomofone

« anonymous wrote on Monday, Sep 21 at 04:10 PM »

This is not even news worthy!! Why waste time writing garbage like this. Sad!!

« [shelly13](#) wrote on Monday, Sep 21 at 04:07 PM »

Nice thinkin CN!

« anonymous wrote on Monday, Sep 21 at 03:36 PM »

Put them both in same electric chair, fry them, two for price of one!

Sorry, dark side of Amy talking.

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« [Grammar1](#) wrote on Monday, Sep 21 at 03:31 PM »

i've got a vision of an inmate grappling with them and things not coming out too well for them.

« [Grammar1](#) wrote on Monday, Sep 21 at 03:30 PM »

Are they serious??? They allegedly rob and kill a woman who was their neighbor and now they want to be able to hang out in jail? This is costing the tax payers money. It is disgusting how they are smart enough to work the system, but not smart enough to work and be decent citizens of this great country of ours??? It sickens me and I am tired of it. THEY MURERED AN INNOCENT, HELPLESS VICTIM. They should get no special treatment.

« [Tinfoil](#) wrote on Monday, Sep 21 at 02:42 PM »

I've got this vision in my head of the judge grappling with those two guys and it creeps me out. One more sign of today's total societal breakdown.

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