

Court roundup: Killer could get out of jail on bail

By Paula Horton, Herald staff writer

PASCO -- A convicted killer could get out of jail while awaiting resentencing in the 2002 death of his girlfriend.

In a hearing Friday in Franklin County Superior Court, Judge Cameron Mitchell set bail at \$500,000 for DeLonde Pleasant.

Pleasant, 31, has been locked up for about eight years after being arrested and convicted of kicking and beating Juanita Montelongo to death.

Montelongo, who was 20, and Pleasant had a son together, who was 2 when she died.

Pleasant has been in the Franklin County jail since March, when the state Court of Appeals overturned his 25 1/2-year sentence. The court said a jury needed to determine if Pleasant's actions were excessive and warranted a prison term above the standard range of 6 1/2 to 8 1/2 years.

In April, Judge Craig Matheson declined to set bail, saying there was no harm to Pleasant waiting behind bars for a new sentence since his time served was still within the standard range.

On Friday, however, Mitchell agreed to set bail because Pleasant's time behind bars has exceeded the standard sentencing range, prosecutors said.

Mitchell has been assigned to the case.

A date for the new sentencing hearing has not been set because Pleasant's attorney appealed a judge's ruling last year that Pleasant should go before a jury.

The appeals court denied the defense motion for discretionary review, but the defense is expected to ask for a state Supreme Court review.

A petition has to be filed with the high court by Feb. 27.

Competency hearing set for murder suspect

A hearing has been tentatively set for next month to determine if a Kennewick man is competent to stand trial for murder.

Ramon Garcia-Morales' trial for first-degree murder and first-degree attempted murder has been on hold in Franklin County Superior Court.

The 29-year-old already was evaluated once by a state psychologist from Eastern State Hospital, who determined Garcia-Morales was pretending to be incompetent.

His lawyers sought a second opinion from a private psychologist, who reportedly diagnosed him with mild retardation.

A second evaluation in the jail was recently completed by a state psychologist, but defense attorney Kevin Holt requested his client be sent to Eastern State Hospital for a 24-hour observation.

Garcia-Morales was basically "nonresponsive," answering just yes or no questions, Holt said.

"I just have a lot of questions, simply about doing this type of evaluation in this type of case ... essentially doing a drive-by evaluation," Holt said.

Prosecutor Steve Lowe said he didn't think Garcia-Morales needed further testing, adding the state was ready to move forward with the competency hearing.

Judge Vic VanderSchoor said he wouldn't order Eastern State to evaluate Garcia-Morales at the hospital.

A competency hearing has been tentatively set for March 18-19.

Garcia-Morales and his younger brother Jose are accused of shooting Alfredo Garcia and Maria Ramirez de Garcia in the couple's Pasco home Dec. 10, 2008.

Alfredo Garcia, 42, died from gunshot wounds. His wife, 38, was seriously wounded.

The case against Jose Garcia-Morales, 26, is also on hold while he undergoes a mental evaluation at Eastern State. A review hearing in that case is set for March 25.