



SANTA BARBARA NEWS-PRESS

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‘Hero’ to Mallory’s dad: The designated driver

Devin Shaw tapped spirit of his own father the night of the hit-and-run



Mallory Dies at various times in her life. From left, with brother, Michael; reading a “Goosebumps” book; and, at far right, with her mother, Raeona, at UCSB graduation in 2008.



COURTESY PHOTOS

By PETER LANCE
SPECIAL TO THE NEWS-PRESS

EDITOR’S NOTE: This is the third in a five-part series on the death of Mallory Rae Dies following a DUI-related hit-and-run, the man behind the wheel, Raymond Morua, at the time a district representative for Rep. Lois Capps, and the length various officials and politically-connected individuals went to protect and later distance themselves from Mr. Morua.

The way her father, Matt, recounted it for those in attendance at her memorial service, Mallory Rae

Dies was a funny, precocious and tenacious child. The only girl in a house with two brothers, “she played a lot of Ninja Turtles and other boy games,” he said, thinking back. “Mally started putting words together by 8 months and spoke in complete sentences by her first birthday. By kindergarten she’d taught herself to read and in the fifth grade, she’d go through two ‘Goosebumps’ books a night after finishing her homework.”

“She went out for cheerleading in her freshman year in high school and made the JV squad,” Matt remembers. “She carried a heavy load of AP class-

Please see **MORUA** on **A5**



L.A. teen denies Deltopia charges

“He is a very loving and responsible young man.”

Mindy Boulet, deputy public defender

By ANGEL PACHECO
NEWS-PRESS STAFF WRITER

A Los Angeles teenager denied allegations of mayhem and assault Monday in connection with hitting and disfiguring a UCSB police officer during Isla Vista’s Deltopia event, reportedly sparking a riot.

Facing 12 years in custody, Desmond Louis Edwards, 17, pleaded not guilty before Superior Court Judge Thomas Adams, who also agreed to lower Mr. Edwards’ bail from \$100,000 to \$75,000.

Mr. Edwards is being tried as an adult in connection with the April 5 incident.

Juvenile Hall personnel led Mr. Edwards into the courtroom at around noon Monday and removed a series of shackles from his wrists and waist for the hearing. Rather than an inmate uniform, he was dressed in a blue shirt, tie and slacks as he faced the judge alongside his attorney, Deputy Public Defender Mindy Boulet.

The court’s Pre-Trial Services Department recommended that bail be reduced to \$60,000, as long as Mr. Edwards agrees to follow a number of terms, including living with his father in Los Angeles and only coming to Santa Barbara County for his court hearings.

But Ms. Boulet asked Judge Adams to consider lowering bail even more or potentially letting Mr. Edwards out of custody on his promise to attend future hearings.

The defense attorney argued that despite reports about Mr. Edwards hitting an officer with a backpack filled with liquor bottles, the bag

Please see **DELTOPIA** on **A2**



STEVE MALONE / NEWS-PRESS PHOTOS

Senior Deputy District Attorney Mary Barron, left, and Deputy Public Defender Mindy Boulet, address questions from Judge Thomas Adams as 17-year-old Deltopia participant Desmond Louis Edwards looks on.

Water rates to rise under stage 2 drought

By SARA BUSH
NEWS-PRESS CORRESPONDENT

Santa Barbara residents seem to be heeding the message to use less water, but it’s not enough to head off rate increases and further calls to curb the flow.

The Board of Water Commissioners on Monday agreed to recommend the City Council declare a stage two drought, change water rates and enact rules to encourage “extraordinary conservation.”

Josh Haggmark, acting water resources manager, told the five-member commission that the community is responding to a push under a stage one drought to voluntarily reduce water. While the recommendation is a 20 percent reduction, he said the average customer has reduced water use by about 15 percent.

“The message is working to get people to change their behavior,” said Mr. Haggmark. “We’re not quite where we need to be, but it’s a good start.”

If the drought persists — and by all accounts it will — and if efforts to purchase outside water sources are unsuccessful, the city will face water shortages by next year.

The new rate structure would encourage conservation according to Kelley Dyer, water supply analyst.

“We already have a rate structure that incentivizes conservation. But drought water rates would encourage extraordinary conservation,” Ms. Dyer said.

The goal is to pass along the higher rates to those who use the most water.

Under the proposed changes, the average low-use single family residence would see a 3 percent in-

crease, about 40 cents per month. Moderate water users would see a \$10 increase on their monthly bill, while rates for the highest users would more than double, by about \$130 more per month.

All users would also see a 3 percent increase in the fixed monthly meter rates.

During today’s City Council meeting, water resources staff will recommend the council move forward with the proposal, by sending out a rate increase notice.

A public hearing would be held 45 days after the notices are sent out, and the council could then vote to approve the new rate structure. If approved, the new fees would take effect July 1.

In addition to the new drought-related rates, water resource staff are also recommending the council adopt new rules to regulate water usage throughout the city. The council could vote for the stage two drought regulations at any time, and could also amend them at any time.

Under the proposed new regulations, the use of ornamental water features and fountains would

Please see **WATER** on **A2**

Josh Haggmark,
acting water resources manager

Top Democratic lawmaker backs off ‘carbon tax’

By JUDY LIN
ASSOCIATED PRESS

SACRAMENTO—The state Senate leader on Monday backed off an unpopular proposal for a so-called carbon tax on consumer fuels and instead wants to dedicate billions of dollars generated by California’s greenhouse gas reduction law to affordable housing, mass transit and high-speed rail.

Senate President Pro Tem Darrell Steinberg said his willingness to pivot from a higher tax on gaso-

line, propane and other consumer fuels was driven by the need to fund environmentally friendly infrastructure projects while helping low-income Californians with housing. The Sacramento Democrat also threw his support behind Gov. Jerry Brown’s budget proposal to help finance the \$68 billion bullet train with money from the cap-and-trade fund that was established as part of the greenhouse gas law.

“I am a quick learner,” Mr. Steinberg said at a Capitol news conference.

Please see **CARBON** on **A8**



SCOTT STEEPLETON / NEWS-PRESS PHOTOS

Stocking the display case at Santa Monica Seafood.

Public market opens for business

By SCOTT STEEPLETON
NEWS-PRESS CITY EDITOR

With little fanfare but boasting bushels of enthusiasm, Santa Barbara Public Market threw open its doors Monday, all involved hoping that the 15 shops, eateries and specialty purveyors will change the way people down food downtown.

“They’re all open and thriving and the community loves it,” an excited Marge Cafarelli, the market’s developer, told the News-Press Monday morning.

She called it “a real Pinterest moment,” visitors taking lots of cellphone pictures and posting them online.

“It’s going to change, I think, the dynamic of downtown.”

Fredric Blaudeau,
co-owner, The Culture Counter Co.

“People are walking around sort of awestruck, so we’re delighted.”

Located at Victoria and Chapala streets, the market and food hall features among others a grocer; juicer; fresh pasta maker and Italian diner with bar-style seating; the first re-

Please see **MARKET** on **A8**



Driver’s blood alcohol level more than twice limit at time of crash

■ MORUA
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es, and UCSB was her first college choice.”

When she got to Isla Vista, “Mal,” as sorority sisters called her, pledged ADPi. Her Twitter page said, “I like to party.”

“But she was such a hard worker,” says Matt, “that she took summer classes to finish a double major in history and law and society in four years.”

Mallory was 27 when she was taken off life support following the hit-and-run Dec. 6, 2013, when she was struck by a Dodge Caliber driven by Raymond Victor Morua III, a decorated Army veteran and district representative for Rep. Lois Capps, D-Santa Barbara.

Police said his blood alcohol level was .17, more than twice the legal limit. Between dinner and 11:03 p.m. when he left The Savoy nightclub on State Street where he’d attended the Santa Barbara Independent’s annual Holiday Bash, authorities say Mr. Morua consumed no less than seven drinks, including two bourbons and six vodkas.

At 12:04 a.m., Mallory was in a legal crosswalk heading toward EOS Lounge after leaving Tonic, the club where she worked, when she was struck by Mr. Morua as he sped down the left lane on Anacapa Street near Haley Street.

The former Army E4 was later charged with gross vehicular manslaughter and leaving the scene of a crash.

And as was reported exclusively in part two of this series on Monday, Mr. Morua, who is represented by attorney Darryl Genis, today is expected to plead guilty to manslaughter and admit to prior convictions, which would bring a sentence of 15 years to life in state prison. He also is expected to admit violating the California Vehicle Code requirement to stop at the scene of a collision, which would mean a five-year consecutive term.

Mr. Morua would be eligible to receive a parole date after 12 years, but must serve 85 percent of his 20-year term, which means 17 years.

He will also admit to allegations pertaining to great bodily injury, which makes this conviction a strike prior for California’s three-strikes law, says Mr. Genis.

But as the evidence uncovered in this investigation suggests, he might never have been charged were it not for the heroic actions of a 20-year-old house painter from Buellton who was just 9 when his own father was shot to death in a traffic dispute.

THE POINT OF IMPACT

Curtis Crispin, 24, was one of two bouncers working the sidewalk outside EOS the night of the hit-and-run. “I was dealing with an individual we’d ejected from the bar. The guy was in the street and I was telling him to get on the sidewalk,” he said in an interview.

“I saw Mallory start to cross. I actually waved at her, thinking she was someone else. I turned away for a couple of seconds to deal with this guy and the next thing I knew this red car comes roaring down south on Anacapa. He must have been doing 40. And I hear this distinct collision; the sound of a front grill hitting something. And I immediately turned and saw her body flying through the air about 20 feet.”

Images obtained from cameras outside EOS Lounge show what appears to be the point of impact. A white blur in front of the car in one image is Mallory after she’d been struck.

Another image, from less than a second later, shows the Dodge having pulled up next to her body.

“And I run up to him screaming,” recalled Mr. Crispin, referring to the driver. “I’m yelling, ‘Get the (expletive) out of your car.’ And he just stares through tinted glass, hesitating; not moving, looking down at her. So I ran around and got a partial plate number: 365. And when I

ran back toward the driver’s door, he just took off. He pulled into the middle lane and ran the light on Haley (Street) almost hitting a guy. He just left her there.”

THE DESIGNATED DRIVER

Moments before the collision, Devin Ryan Shaw of Buellton was behind the wheel of his girlfriend’s gray Volkswagen Jetta at the exit for City Lot 11 in the 500 block of Anacapa Street. He was the designated driver that night for his girlfriend, Eva Pagaling, 23, and her cousin, Steffanie Colgate, 25, who’d been at a club on lower State Street.

Mr. Shaw had just paid at the parking lot kiosk when he noticed Ms. Dies and two friends emerging from the lot and getting ready to cross the street.

“They were in front of us,” he said, “and we let them past us so they could cross. There was a cab to the left that waved them across. Mallory stepped out first and there was a kind of blur as this red car hit her and she literally flew through the air. Then the driver pulled up behind her and sat there for a second. Then he drove around her body and took off.”

At that point Mr. Shaw acted instinctively.

“He blew through the stoplight (at Haley) and I knew I couldn’t let him get away,” he said during a daytime interview in which he re-traced his movements that fateful night. “So I pulled right on Anacapa and went after him.”

“He headed south on Anacapa and instead of stopping at Gutierrez, which is one-way heading west,



PETER LANCE PHOTO

Witness Devin Ryan Shaw at the location on Anacapa Street, outside EOS Lounge, where Mallory Dies was run down and left on the street.

he blew through the stop sign. By now Eva was dialing 9-1-1. So I kept following him and he drove to the end of Anacapa which is a cul-de-sac with a small turnaround at the end by the freeway. It’s opposite the REI parking lot.”

ATTEMPTING TO HIDE

“What happened next was like right out of a movie,” he says. “He didn’t see me behind him and I kind of slowed down. So he pulled around that turnaround and then went into this gated lot across from REI. It was some kind of freight yard; deserted at that time of night and the gate was open so he drove in there and I pulled up to the entrance and we watched him as he literally stopped his car and turned off his lights.”

Mr. Shaw says he believes Mr. Morua was attempting to hide. “I think he was figuring that if I just chill here and wait a couple of hours for things to calm down; maybe spend the night, then I can



PETER LANCE PHOTO

Mr. Shaw outside the yard in an Anacapa Street cul de sac where he says Raymond Morua tried to hide before tearing off at high speed and ultimately crashing his vehicle on Cabrillo Boulevard.



COURTESY PHOTO

An image from a camera outside EOS Lounge shows the Dodge Caliber driven by Raymond Morua having pulled up next to Mallory Dies’ body.

beat this.”

(In an interview with Santa Barbara police following the incident, Ms. Colgate, who was in the back seat of the Jetta, confirmed Mr. Shaw’s account of the events.)

Mr. Shaw says he decided to block the exit from the yard and wait for the police to arrive.

“I parked across the opening to that yard where he was hiding and I figured we’d wait,” he says. “When all of a sudden, he spotted us. He turned on his lights and his engine and came roaring out. So I (jammed) the car into reverse and backed up enough for him to cut in front of us. At that point, he shot across into the REI lot.”

“So I followed him. He saw us and he backed around with the rear of his car almost to the entrance of REI. I pulled up and started screaming at him. I said, ‘Hey, man, you’ve got to stop. You’ve got to go back. You can’t get away with this.’ We were like yards apart and he was staring at me through the windshield and suddenly he just peeled out. ... He roared across the REI lot and took the north exit. I turned and went out the south side and as soon as I turned north I saw him blow the stop sign on Gutierrez and go left toward State (Street).”

Mr. Shaw says he followed Mr. Morua’s Dodge Caliber west on Gutierrez Street to the light at State Street. “There was a pedestrian about to cross,” he recalls, “but Morua was in the middle lane and he just turned left south on State, blowing that light which was also red.”

TO THE BEACH AT 80 MPH

By now, he was heading under Highway 101, Mr. Shaw says. “And he must have seen me behind him because he picked up speed. He was hitting 80 miles an hour. I know, ‘cause I was doing 70 or 75; about 10 car lengths behind him and he was pulling away from me.”

“He blew two more red lights on State Street” heading toward Stearns Wharf, says Mr. Shaw.

Then, with Mr. Shaw behind him in hot pursuit, Mr. Morua got to Cabrillo Boulevard and tried to make a right turn from the middle lane. Instead, according to police reports, he lost control of the Caliber and crashed into a palm tree across from the Dolphin Family Fountain at the foot of Stearns Wharf.

Mr. Shaw pulled the Jetta onto Cabrillo and parked. He jumped out and ran across to the crash scene where he says Mr. Morua was still inside. “I was yelling at him,” he says. But he wouldn’t get out of the car. “I said, ‘Hey, man, I gave you a chance to go back,’ but he wouldn’t even look at me. He just sat there behind his tinted window.”

At that point, police officers arrived. One patrol unit had brought Curtis Crispin along to try and identify the suspect. He identified the red Dodge Caliber as the vehicle that struck Mallory.

Now the police ordered Mr. Morua to exit his vehicle.

“Morua got out and sat on a bench,” says Mr. Shaw, who is about 5-foot-10 and 160 pounds, compared to Mr. Morua who at the time was a muscular 220. “He still wouldn’t look at me.”

Asked what motivated him to stay on Mr. Morua’s tail that night, Mr. Shaw looks away and then says, “I guess I’ve got some of my Dad in me.”

Pressed for more, Mr. Shaw tells the remarkable story of being just 9, one of six children, when his father confronted a driver in the parking lot of an Albertsons in Buellton.

Wayne Shaw, 49, ran a successful family house painting business in North County. On the night of March 16, 2005, he was returning from dinner at 8:40 p.m. when his pickup truck was cut off on State Route 246 by a white van driven by Louis Calvin, 45, of Solvang.

After pulling into the parking lot at Buellton Town Center moments later, Wayne Shaw, who had followed the white van, exited his truck and started yelling, “Get out of the car right now.”

But this encounter ended differently than his son’s confrontation with Raymond Morua.

According to news reports from

*Please see **MORUA** on A8*



PETER LANCE PHOTO

Mr. Shaw, referred to by Mallory Dies’ father as “the one true hero in this very sad story,” across the street from EOS Lounge.

New developments in metabolic science has led to the unimaginable... weight-loss!

Scientists Predict End of Obesity by 2018

Within the Next 5-Years; Experts predict “weight loss clinics will be shuttered... diet doctors will be obsolete... and virtually no one in this country will ever be fat again!” Here’s why...

By: Don Westein, Health Editor

After years of painstaking research, scientists have announced a weight loss discovery so radical it could end America’s obesity epidemic by 2018.

“This is a real game-changer!” Says John P, a nutritionist from Phoenix, AZ. Some say, Garcinia Cambogia is going to put millions out of work. Referring to the countless jobs in the diet industry. But just think about the millions of lives that will be saved from sickness and disease that comes from being fat!

Famous TV Heart Surgeon: This is the “Holy Grail for people with Weight problems!”

So exactly why is Garcinia Cambogia wowing the scientific community?

For one thing, it’s not another diet craze that’s in one day and out the other.

It’s a remarkable substance derived from an amazing pumpkin shaped fruit grown in southeast Asia... But not just any variety of Garcinia will do. It has to be grown only in specific regions and cultivated under just the right conditions. The very best of the crop is “Garcinia Cambogia 2000”.

Garcinia Cambogia wipes away fat so completely, that it has caught the attention of scientists and weight loss experts all over the globe. It works like nothing else seen before. Simply take as directed and eat reasonably. You can almost see your excess fat melt off your body. It’s just that effective!

Experts predict, the data is so compelling...

“Weight-loss centers could be forced to shut down. Diet doctors could be out of business within 5-years.”

“There just won’t be a need for them anymore,” he added.

Gastric Bypass in a Bottle

The real power of Garcinia Cambogia lies deep inside the fruit. It contains an ingredient called HCA (Hydroxycitric Acid) that melts fat away in the same way stomach stapling does.

Johan Stifling, a leading scientist in Utrecht Holland says: “With Garcinia it doesn’t take much to fill you up. You’re just not hungry anymore. The compound absolutely kills uncontrollable urges to binge on food in just minutes after taking it. After just a few bites, you’ll feel stuffed to the gills. You’ll swear your stomach has shrunk.”

The secret is its ability to inhibit Citrate Lyase Enzyme (the stuff that turns carbs into fat). HCA builds an “impenetrable wall” so fat can’t get absorbed by your body... so you simply can’t gain weight. Then, the HCA breaks up the fat you already have and forces it out of your body.

Think about it. A pill that stops fat from being made, as it obliterates the fat you already have. Incredibly, the pounds and inches just roll off you.



As new pill gains popularity, scenes like this will become rare and unusual.

Not Just for the Wealthy

Until recently, only the rich, famous and powerful have been able to try Garcinia Cambogia. But now, for the first time ever, the manufacturer has made this revolutionary perfected Garcina Cambogia and made it available to the general public. They Call it Garcina Cambogia 2000. And since the country’s obesity rate is at an all-time-high; it couldn’t have come at a better time.



When you take Garcinia... “After just a few bites of your meal, you’ll feel stuffed to the gills.”— Johan Stifling, Clinical Therapist

Unlike other products on the market that do little or nothing for your weight problem; Garcinia Cambogia 2000 contains the precise doses of Garcinia and HCA; cultivated in optimized conditions and perfected for rapid and permanent weight loss. The result? You’ll see changes in your appetite almost overnight!

Your Body... Perfected!

There’s a surprise side benefit in Garcinia Cambogia 2000 that virtually no other weight-loss product can give you — MUSCLE! Garcinia Cambogia also builds up your muscle tone. So not only do you rid your body of ugly fat... you get stronger too! Take as directed and Garcinia Cambogia will have you slimmer, trimmer and strikingly fit. You’ll see a total body makeover in no time!

No More “Stress-Eating Binges”

If you’re an emotional eater (and who isn’t), you’ll never worry about over-eating again. Garcinia Cambogia 2000 stops your compulsion to “stuff your face” during times of stress. It’s

pure magic. Garcinia Cambogia 2000 jump-starts your serotonin levels like a natural Xanax. So you don’t give in to the temptation of “comfort food” to calm down.

You’ll feel great, you’ll sleep great, and look great. And even be able squeeze into your favorite pair of skinny jeans again!

Healthier Heart

And here’s fantastic news for your heart. The HCA concentration in Garcinia Cambogia 2000 is proven to lower LDL ‘bad cholesterol’ by a whopping 31%. So you can enjoy the benefits of a healthy heart, great blood pressure numbers, and normal blood sugar too. That’s great news for people have been overweight for years and put unnecessary stress on their heart.

Clinical Studies Don’t Lie!

In a recent study published in the *American Journal of Diabetes, Obesity and Metabolism*, scientists discovered that Garcinia Cambogia causes significant weight loss, lowers food intake and body weight gain, as well as tackling factors such as cholesterol, low-density lipoproteins, triglycerides, and serum leptin levels.

100% Safe

What’s more, Garcinia Cambogia contains no fillers, no binders, and it’s produced in state-of-the-art FDA registered lab facilities. It’s 100% safe, natural and won’t interfere with your regular medications. So you can lose weight with confidence.

Ecstatic Users

Sandy M. of Orlando, FL said, “I lost 4 pounds a week. And my ‘bad cholesterol’ dropped almost 30%!”

Robin B. of Minneapolis, MN adds, “I was skeptical. But when I saw a Famous TV Doctor that recommend it, I tried Garcinia Cambogia. I was shocked! I lost 20 lbs. in the first month!”

Special arrangements have been made with the manufacturer to supply our readers with a risk-free 30-day trial supply of Garcinia Cambogia.

Call today and find out how you can get a bottle absolutely FREE! But you must act now; supplies are limited.

Call Now, Toll-Free 1-800-793-9926

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'I couldn't just let this man get away'

■ MORUA

Continued from Page A5

the time, authorities say Wayne Shaw was intoxicated and reached inside the other man's vehicle. Mr. Calvin, a dealer at the Chumash Casino, pulled an unregistered loaded .22 pistol, which he called his "Der-ringer," and fired a single shot that struck Wayne Shaw in the neck. The bullet lodged in his spine.

Wayne Shaw collapsed and later died in the emergency room.

Prosecutors filed a murder charge against Mr. Calvin, but a Superior Court judge ordered he be tried on a charge of voluntary manslaughter, ruling that evidence presented at the preliminary hearing didn't support the murder count.

The judge also concluded that Wayne Shaw was the aggressor in the fatal encounter.

At trial, Mr. Calvin claimed he'd fired in self-defense. He was convicted of manslaughter and sentenced to 32 years to life behind bars.

Devin Shaw says his father's death left an indelible mark on him, but on the night of Dec. 6, after seeing Mallory Dies run down and left on the street, he had to act.

"I just couldn't let this man get away," he said. "And I believe he would have. We didn't hear a single police siren until after the crash and I'm sure that if I hadn't seen him go into that freight yard and hide, he would have waited it out and gotten away."

Mr. Shaw and his girlfriend, Eva, were so affected by seeing the hit-and-run that they visited Santa Barbara Cottage Hospital as Mallory's parents kept a vigil. They both attended her memorial service at Shoreline Park five days after she died.

Asked if he'd given any thought

to what might have happened that night if he encountered Raymond Morua, Mr. Shaw said, "I would have just told him that he should be ashamed."

"He should have gone back and admitted to what he did. He was a soldier and just like soldiers don't leave their buddies in battle, you don't drive away from an accident like that."

"The way my wife Raeona and I see it," says Matt Dies, "Devin Shaw is the one true hero in this very sad story and we know for certain that if Mally had lived and they'd met, she and Devin would have been friends for life."

"I FELT LIKE I WAS BEING CHASED"

After the crash on Cabrillo Boulevard, according to a police report, Mr. Morua told authorities that at around 7 p.m., he parked his vehicle at the Lot 10 garage at Ortega and Anacapa streets and walked to State Street, where he went to The Savoy nightclub and attended the "Christmas party for the Independent newspaper as a representative for Lois Capps."

He said that he "had a couple of drinks (maybe 5-6-7)" then went to a "cigar shop." After that he told police he remembered "being at McDonald's on Milpas." In that statement written by hand on a blank EPAS breathalyzer form, Mr. Morua told the investigating officer, "I don't know if I ordered food."

But on his Bank of America Visa card, there's a charge for \$7.43 from that McDonald location at 29 Milpas St.

The fast-food restaurant is eight blocks east and five south of the crash scene on Anacapa Street. At the time, it closed at midnight on

TOMORROW: The untold story of the efforts by retired Santa Barbara County Superior Court Judge George Eskin, now an "assigned judge," to help Raymond Morua in the hours after his arrest and a scheme to get Mr. Morua out of jail and into a treatment facility funded in part by the government.

Thursdays, which was the night of the Independent's Holiday Bash.

In that statement to police, Mr. Morua offers no explanation for how he ended up leaving the garage and ultimately turning onto Anacapa Street, where he drove downtown at speeds witnesses estimated to be more than 40 mph.

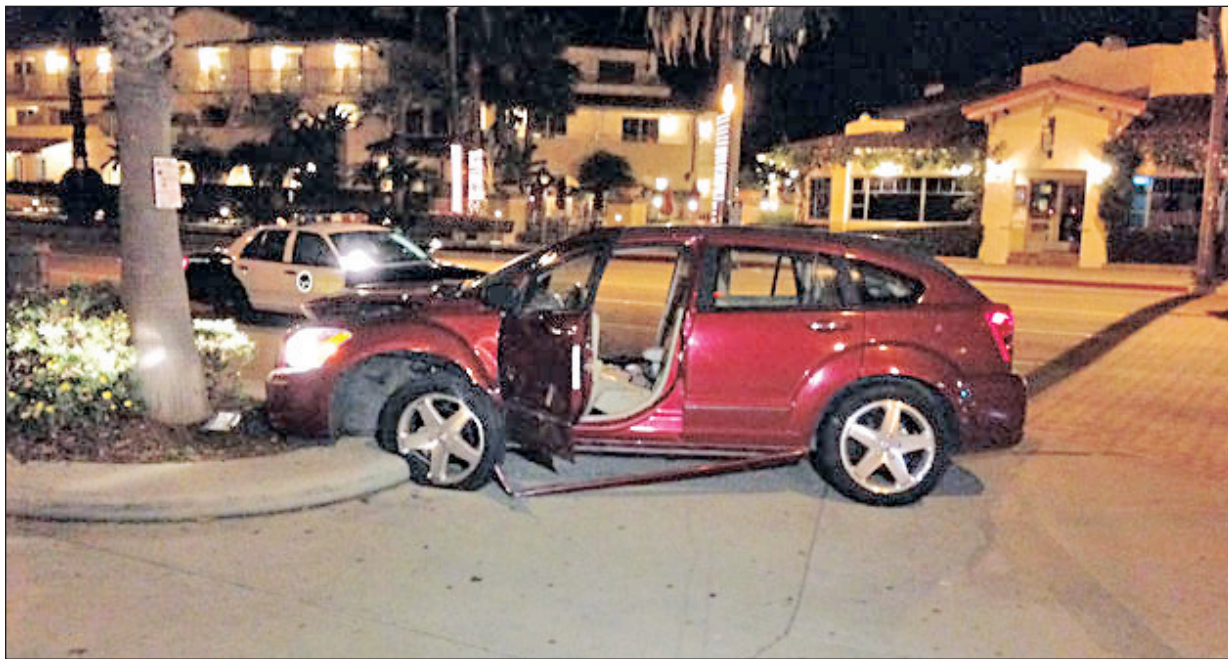
He told police nothing about how he struck Mallory at 12:04 a.m.; only that "after the cigar shop ... I walked to where my car was parked then left, but don't remember paying."

But in that statement, Mr. Morua said that after McDonald's, "I heard yelling and felt I was being yelled at. I felt like I was being chased. I don't remember why (I was) being chased."

He makes no other reference to Devin Shaw or the Volkswagen Jetta that dogged him.

RESPONSIBILITY FOR THE WRONGFUL DEATH

Video taken outside The Savoy nightclub shows that Mr. Morua visited La Aroma de Havana Cigar Lounge after he left the Independent's holiday party at 11:03 p.m. A receipt charged to that same Visa card for \$24.82 was debited at the cigar lounge at 11:19:10 p.m., just 45



NEWS-PRESS FILE PHOTO

After speeding down State Street, Mr. Morua crashed his Dodge Caliber into a palm tree at the foot of Stearns Wharf.

minutes before the crash outside EOS Lounge.

Mr. Morua's personal AT&T cell-phone bill shows that he exchanged a series of texts with his immediate supervisor, Mollie Culver, district director for Mrs. Capps. That exchange came between 11:14 and 11:19 p.m. at the very time Mr. Morua cashed out at the cigar lounge.

In a sworn declaration, Mr. Morua insists that during his visit to La Aroma he had a conversation with Paul Weakland, a veteran with whom he'd been working via Mrs. Capps' office to help with a claim for back benefits.

"That puts Morua on the job, very late that night," says Robert Stoll, attorney for Mallory's family, which has filed a claim for damages with

House Speaker John Boehner.

"We don't know precisely how long he stayed there talking with Mr. Weakland, who was a constituent," says Mr. Stoll, "or exactly when he started to make his way the two blocks north to get his vehicle. But just 45 minutes after paying that bill at the cigar lounge, Raymond Victor Morua, district rep. for Lois Capps, was roaring down Anacapa, only to strike this young woman and leave her lying on the street with mortal wounds."

Since Dec. 11, 2013, shortly after Mallory was declared brain dead and removed from life support at Santa Barbara Cottage Hospital, the Capps office has taken the position that Mr. Morua was not working for the congresswoman that night; that

he took an invitation to the Holiday Bash off a desk in Mrs. Capps' Santa Barbara office and was there on "his own volition."

That's the legal position taken by Mary Beth Walker, from the Office of General Counsel for the U.S. House of Representatives, which is representing Mrs. Capps and her staff. Under historic civil damage claim principles, if Mrs. Capps prevails in making that case, Mallory's family will have little hope of recovering any damages in a wrongful death suit because Mr. Morua, who, based on today's expected plea, is facing imprisonment of 20 years to life and is effectively a pauper.

email: news@newspress.com; peterlance.com

Shop 'modeled ... after a market in Madrid'

■ MARKET

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tail shop for the popular Enjoy Cupcakes (which anyone who's been to the Saarloos and Sons tasting room in Los Olivos will recognize); a seafood shop; ice cream shop; and butcher.

Frenchman Fredric Blaudeau and his California-born wife, Dana (fans of L'Apero Petit Gourmet in Santa Barbara will recognize their names) were busy Monday morning readying for business their curiously named new cheese and charcuterie shop, The Culture Counter Co., billed as a "curated selection of cheese and salumi from the U.S. and a mix of eclectic and emerging cheese regions from around the world."

"We love European culture and we feel like this market really represents that lifestyle," said Mrs. Blaudeau. "The developer modeled this after a market in Madrid and we connect to that."

"Culture is also a play on words," she continued. "Cheese is made from cultured milk. We want to represent the best products from around the world (read cultures), and we want to share that kind of mentality."

They have a fun concept called the Culture Cone, a paper cone filled with meats and cheeses, which costs \$4 or \$5 and is perfect for pairing with an adult beverage from the 21-and-older Wine+Beer shop, located not far from the cheese shop.

Say the words public market and chances are the image that comes to mind is a fishmonger in Seattle playing salmon-toss with a colleague as a crowd of rapt tourists squeal in delight.

While not the biggest, Pike Place Market is probably the best-known assemblage of sellers of seafood, purveyors of produce, marketers of munchies and peddlers of petals in the world. (Its bronze piggy bank, Rachel, even has a Facebook page and Twitter account, and visitors have been known to "ride" Rachel and even dress her up in pink tutus.)

But a public market is more than just a place where people can buy a variety of goods or as Rachel's fans do, show their eccentric side.

Backers public and private cite among their public market goals preserving local agriculture, creating public spaces for people to gather and showcasing local vendors and retailers. Toward the latter, Oxbow Public Market in Napa, for example, features spirits from Napa Valley Distillery, while Reading Terminal Market in Philadelphia, Pa., features milk and cream from Lancaster County. And in Atlanta, Ga., Sweet Auburn Curb Market (formerly Atlanta Municipal Market) features the local taste of Sweet Auburn Barbecue.

In San Francisco, the Ferry Building Market-place offers everything from local artisan cheeses to local fish.

And some of the Bay Area's best chefs can be found at the Ferry Building Marketplace serving up dishes wild and sublime and culturally diverse.

If there's a model for public markets — a concept undergoing a renaissance — it's La Boqueria, in Barcelona, Spain, whose roots date to a traveling market on La Rambla of Barcelona in the 1200s. As Ferran Adria, a chef at the market's El Bulli Restaurant puts it, "La Boqueria is a gastronomic temple, a place that congregates all the phases in the food chain, from the producers, harvesters, butchers and fishmongers who provide the food, to the individual and professional clients who wander through this magnificent, characteristic maze of traders in charge of the market stalls."

Not all public markets make it.

In a post mortem via Twitter, the private back-



SCOTT STEEPLTON / NEWS-PRESS PHOTOS

Above, head butcher Hans Liebl dresses some of the opening day offerings at Belcampo Meat Co. At right, a giant chalkboard at Santa Barbara Public Market already scrawled from a family and friends weekend soft opening.

ers of San Diego Public Market, intended to rival Pike Place and even Boqueria, but which closed just one year after opening, said foundation or public ownership, as opposed to private enterprise, might have been their salvation.

The nonprofit Project for Public Spaces, which has been involved in stimulating the creation of public markets across the U.S., identified three key characteristics of a public market: a) goals such as preserving local agriculture; b) creating public spaces where people can gather; and c) containing locally-owned independent businesses.

While not all shops are "local," even those whose Santa Barbara Public Market outposts represent just another location in a growing business take to heart some of things that some locals think are important.

Hans Liebl, head butcher for Belcampo Meat Co.'s gleaming new location, said the company strives to provide humanely raised and slaughtered meats and poultry, including 200 cattle a year, along with lamb and goats, from its 10,000-acre farm on Mt. Shasta. The farm, he added, is all organic.

"We do our own soil, we grow our own grass," he said. "Our beef is all grass-fed."

He called Belcampo "a very upscale meat market."

"It's for people who actually are concerned about how the animal is raised, and how the animal is killed, if it comes all the way from the East Coast or is a local product."

"We have our own slaughterhouse on our site, our own private processing facility on our farm, so the travel for the animal is very short," Mr. Liebl said.

In addition to all sorts of fresh meats, Belcampo sells its own packaged goods, including hot dogs and bacon, and the shop offers hamburgers and fries, sandwiches and other items.

Anyone expecting a grand food hall with a line of sight stretching far and wide will be disappointed. The market is actually set up with a walkway around the perimeter, where you pass individual vendors — some with their own seating — with more shops in the middle. An eating hall with tables and chairs connects the east and west sides, and there are more tables inside Wine+Beer, which offers wines of all kinds by the glass and bottle, and beer by the bottle



and on tap.

While the market opens at 7 a.m., vendors will set their own hours.

With no room to grow, one wonders whether success is going to have the market bursting at the seam.

"This is the footprint," said Ms. Cafarelli. "And not so dissimilar to other places, if we reach our capacity, people will have to wait to get in. I was in New York and Eatly (50,000 square feet, 23 eateries) had to do that. One day when I was there, I had to wait 15 minutes to get in so people could leave," she said.

"That'll be a happy problem."

The future of Santa Barbara Public Market could see chamber music from Music Academy of the West, Ms. Cafarelli said. "We'll do some of that as we get settled and have a little bit more time."

The Cultured Counter Co.'s Mr. Blaudeau, said he hopes the public market becomes a destination for locals and for the worldly travelers who light in Santa Barbara.

"We have such a great interaction ... that you just want to spend your full day here," he said. "It's fun and it's entertaining, the architecture is beautiful. It's just about lifestyle."

"It's going to change, I think, the dynamic of downtown."

Among the market's early morning visitors Monday were Santa Barbara residents Melissa and Noah van Bebber.

"We went to Crazy Good Bread," a visibly excited Mrs. van Bebber, 33, said, leaving the market, bag in hand and a wide smile on her face. "We haven't had breakfast yet, and so we thought we'd get something tasty."

They picked up a loaf of country bread, a pretzel stick and muffin from the Santa Barbara-based artisan bread maker, which also has locations in Montecito and Carpinteria.

Like others who came on opening day, Mrs. van Bebbers said they were pleased with what they found — and quite excited to see the market finally come to fruition.

"We've been waiting for the public market to open for months."

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Steinberg defends funding for 'visionary' bullet train

■ CARBON

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ence surrounded by transit, housing and environmental advocates. "Unlike the last time, I am thrilled to stand with a broad coalition."

Mr. Steinberg released his initial proposal in February. It was quickly trounced as a direct hit to Californians even though the current cap-and-trade revenue system is expected to expand next year in a way that could raise the price of gasoline and other fuels. Steinberg said that could produce volatility for consumers and proposed his flat tax on fuels as an alternative.

He is now proposing to use revenue from greenhouse gas emission fees paid by industry as a source of funding for affordable housing and mass transit projects. He also wants the money going toward environmental improvements that include adding bicycle lanes and water efficiency projects.

Mr. Steinberg was initially concerned about how Mr. Brown's budget would use cap-and-trade revenue for the bullet train. But on Monday he said funding the beleaguered transit project fits nicely with the state's effort to promote clean infrastructure.

"I think it's visionary. I think it's a major job-creator, and I think future generations will be glad that we withstood the controversy," Mr. Steinberg said.

Jim Evans, a spokesman for Mr. Brown, said the governor's office doesn't comment on pending legislation but "looks forward to working with the Legislature on an overall cap-and-trade funding plan."

The Brown administration wants to spend a total of \$850 million on transportation, energy efficiency and water projects in the next budget year under provisions of California's 2006 greenhouse gas emissions law, known as AB32. Within that, Mr. Brown wants to direct \$250 million to the high-speed rail project from the cap-and-trade fund, which raises money from California industries in a sort of emissions marketplace that is designed to reduce air pollution.

Mr. Steinberg, however, said California is expected to receive a windfall of up to \$5 billion a year. He would rather see the state adopt a long-term spending plan.

The cap-and-trade program currently applies only to industrial plants and allows companies with higher emissions of greenhouse gases to buy pollution credits from companies that have found a way to lower their emissions below a certain threshold.

But next year, consumers will

Mr. Steinberg was initially concerned about how Mr. Brown's budget would use cap-and-trade revenue for the bullet train. But on Monday he said funding the beleaguered transit project fits nicely with the state's effort to promote clean infrastructure.

start to see the impact as the program is extended to the producers of carbon-based consumer fuels, which will raise prices at the pump by an uncertain level.

Republicans were pleased to see Mr. Steinberg backing off an estimated 15-cents-a-gallon carbon tax on fuel starting next year. They said they look forward to discussing California's long-term infrastructure needs.

"Glad that the pro tem wisely backed away from a gas tax that would have unfairly punished lower-income working families," said Peter DeMarco, a spokesman for Senate Republicans. But Mr. DeMarco said the decision to "double down on high speed rail is a losing proposition." The Legislative Analyst's Office has said it is legally risky to link the bullet train to the cap-and-trade fund.

Under Mr. Steinberg's latest plan, about 40 percent of the cap-and-trade fund would go toward affordable housing, 30 percent to transit, 20 percent to high-speed rail, and the remaining amount to other environmental and climate projects. He also wants a requirement that 25 percent of funding go toward disadvantaged communities.

"My larger concern then and now is the economic impact on low- and moderate-income people, and preserving and strengthening our essential climate goals," Mr. Steinberg said.

Speaker-elect Toni Atkins, D-San Diego, said she looks forward to discussing the proposal with her colleagues in the Assembly as they formulate their budget priorities.

"Addressing climate change, finding a new source of funding for affordable housing, and encouraging mass transit are all key goals for our state," Ms. Atkins said in a statement.