



Click to Print

[SAVE THIS](#) | [EMAIL THIS](#) | [Close](#)



## 3 Bird Rock Bandits back in County Jail

By [Debbi Baker](#), UNION-TRIBUNE STAFF WRITER

[Susan Shroder](#), Union-Tribune Staff Writer

Friday, December 18, 2009 at 12:39 a.m.

SAN DIEGO — Three men who served time in the County Jail for the beating death of La Jolla surfer Emery Kauanui Jr. could end up going to prison if a judge finds that they violated terms of their probation.

Co-defendants Orlando Osuna Wright, 23; Matthew Yanke, 23; and Eric House, 22, were arrested Monday and Tuesday at a probation office and are being held in jail without bail. They are scheduled to appear in court next week.

All three pleaded guilty last year to involuntary manslaughter for the 2007 death of Kauanui, 24, who died four days after a fight outside his mother's La Jolla home. A judge ruled that the defendants were part of a loose-knit group called the Bird Rock Bandits that had long bullied people in the Bird Rock community, at La Jolla's southern end. Prosecutors had argued they were a gang.

The case put a national spotlight on the affluent coastal community and its surf culture.

County Chief Probation Officer Mack Jenkins said yesterday that the three men are accused of having contact with each other in violation of their probation terms. In addition, Yanke and Wright, who now goes by his stepfather's surname, tested positive for drugs after their arrests.

Jenkins would not specify which drugs, but Kerry Steigerwalt, Yanke's attorney, said his client's test "showed marijuana consumption."

Steigerwalt said he was surprised at the allegations against Yanke.

"The bottom line is, I had been hearing all along that Matt Yanke was doing so well in working with his probation officer, and seeking employment and working in the community, so I'm finding the allegations surprising," the attorney said.

Steigerwalt cautioned that "these are just allegations" and that "the judge will determine whether or not these are true."

Still, he said, "Being given probation in a felony case is a privilege, and certain rules are expected to be followed."

Steigerwalt and Jenkins both said they were unable to release specifics on when or where the alleged contact took place. That will come out in the hearings, where the co-defendants will either admit or deny the violations occurred.

“If the violations are admitted, the judge has complete discretion to put them in prison,” Steigerwalt said.

They also could be sentenced to jail or have probation revoked.

Jenkins said the San Diego Police Department had received information that the violations occurred and that it was passed on to the Probation Department.

In 2008, the three each accepted plea agreements. House and Yanke were sentenced to 210 days in jail, and Osuna received 349 days. All were placed on three years’ probation.

Seth Cravens, who delivered the fatal blow, was the only one to have his case go to trial. He was convicted of second-degree murder and other charges and was sentenced to 20 years to life in prison. A fifth man, Henri “Hank” Hendricks, pleaded guilty to accessory after the fact and was ordered to serve a 90-day sentence.

At the sentencing of House, Yanke and Osuna, Superior Court Judge John Einhorn cited the men’s lack of criminal history in choosing jail and probation rather than prison and the fact that there was no evidence that any of them threw the fatal punch.

But Einhorn admonished the three to prove to the court that they could uphold the terms of probation.

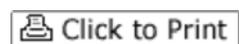
“Please show your community, your families, the Kauanui family, the memory of Emery Kauanui and the court that I haven’t made a mistake on the sentencing,” the judge said.

*Debbi Baker: (619) 293-1710; debbi.baker@uniontrib.com*

*Susan Shroder: (619) 293-1876; susan.shroder@uniontrib.com*

**Find this article at:**

<http://www.signonsandiego.com/news/2009/dec/18/3-bird-rock-bandits-back-county-jail>



[SAVE THIS](#) | [EMAIL THIS](#) | [Close](#)

Check the box to include the list of links referenced in the article.

