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Road rage defendant back in jail

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What was intended to be a simple arraignment hearing for a Turlock man accused of a fatal road rage beating, ended with the defendant in handcuffs when a bondsman requested he be surrendered into custody.

Defendant Michael Hoyt was unexpectedly taken into custody Monday when Los Angeles bondsman Vincent Ebarb came into town and called the bail due.

Hoyt is facing a charge of second-degree murder for the death of 68-year-old Hilmar resident Kenneth Winter. The prosecution alleges Hoyt beat Winter to death because he was angry about being cut off. The defense argues Hoyt was attacked and acted in self-defense.

The bondsman filed his request with the Stanislaus County Superior Court on Monday, stating Hoyt's bail of \$1 million was only good for one year and that no premiums had been paid since.

The request caught both the court and defense attorney Frank Carson by surprise. Both Carson and Judge Ricardo Cordova were inclined to put the matter over for a day so they would have some time to research the issue, but Ebarb wasn't so inclined. Ebarb said Hoyt would be in custody, either by surrendering to the court or be taken into custody by the bondsman's team waiting outside the courthouse.

"I'm not going to let him walk away on a one million dollar bail," Ebarb told the court.

Hoyt opted to surrender to the court. Cordova reset his bail at \$1 million.

Tuesday morning saw Hoyt back in court, this time in the red and white jumpsuit assigned to jail inmates facing murder charges.

Carson told the court he was going to file a motion and serve Ebarb because he believes false statements were made about his client. Carson said the bondsman had signed a waiver for renewal of the bond.

Carson also said he plans on filing a complaint against Ebarb with the California Department of Insurance, which regulates bail matters.

Ebarb was not in the courtroom Tuesday.

Hoyt's arraignment was continued to Friday. It is possible that he will be appointed a public defender at that time because Carson said Hoyt could not continue to retain his legal services.

Hoyt remains in custody.

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