

**Office of the District Attorney**

825 Fifth Street, Fourth Floor

Eureka, CA 95501

TEL 707.445.7411

FAX 707.445.7416

districtattorney@co.humboldt.ca.us

Victim Witness Program

712 Fourth Street

Eureka, CA 95501

TEL 707.445.7417

FAX 707.445.7490

Maggie Fleming

District Attorney

NEWS RELEASE

March 18, 2019

Today a jury found 35-year-old Nicholas Kistler guilty of attempted premeditated murder, assault with force likely to produce great bodily injury and resisting arrest. The jury also found that the defendant personally used a deadly weapon and inflicted great bodily injury on the victim.

The case arose from an incident on April 3, 2017 on the Arcata Plaza. The defendant first disguised himself with a bandanna, then approached the seated victim and struck him twice in the head with a hammer, fracturing the victim's skull. The Arcata Police Department pursued and captured the defendant with the assistance of a police dog. The successful prosecution of Mr. Kistler relied on several witnesses who came forward to speak with law enforcement and ultimately testified at trial. The District Attorney's Office greatly appreciates their efforts, along with the time and effort of the jury.

Deputy District Attorney Luke Bernthal prosecuted the case with the assistance of District Attorney Investigator Marvin Kirkpatrick. Conflict Counsel Supervising Attorney Meagan O'Connell represented the defendant. Judge Wilson presided over the two-week trial.

Mr. Kistler will be sentenced by Judge Christopher Wilson on April 15, 2019. He faces a potential maximum sentence of 11 years to life in prison.