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Maggie Fleming

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NEWS RELEASE**May 6, 2019**

District Attorney Maggie Fleming announced that today, a jury found 34-year-old Erick Allen Battersby guilty of attempted murder, with the special allegation that it was willful, deliberate, and premeditated. He was also convicted of assault with a deadly weapon and first degree burglary.

The case arose from an incident in McKinleyville in the early morning hours of December 3, 2016. The victim, whose daughter was dating Mr. Battersby at the time, was asleep on a couch. He awoke to find Mr. Battersby on top of him, with a knife to his throat. The victim fought off Mr. Battersby and knocked the knife out of his hand. Other residents woke up after hearing the struggle and several came to the victim's defense. They were able to restrain Mr. Battersby and throw him out of the house.

An investigation by the Humboldt County Sheriff's Office led by Deputy Luke Mathieson resulted in the arrest of the defendant shortly after the attack. He has been in the Humboldt County Correctional Facility since December 2016.

Deputy District Attorney Roger Rees prosecuted the case with assistance from District Attorney Investigator Tom Cooke. Attorney Russell Clanton represented Mr. Battersby. Judge Lawrence Killoran presided over the one-week trial.

The prosecution of Mr. Battersby relied on several witnesses willing to come forward, speak with law enforcement, and ultimately testify at trial. The District Attorney's Office greatly appreciates their efforts, along with the time and effort of the jury.

The scheduled sentencing date for Mr. Battersby is June 27, 2019. For the attempted murder charge, Mr. Battersby faces a sentence of life in prison, with first eligibility for parole in seven years. The burglary charge could add six years to his sentence, which would delay his initial consideration for parole. Under California law, the assault with a deadly weapon conviction will not affect Battersby's sentence because it is classified as a lesser-related offense to the attempted murder.