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PRESS RELEASE

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Charges filed in November Hit-and-Run Death of Bicyclist on the Midway Gridley Man Confesses

District Attorney Mike Ramsey announced today charges have been filed against a 71-year-old Gridley farm manager for the November 14, 2012 death of a bicyclist on the Midway north of Durham at Roble Road. Ramsey said charges of felony hit-and-run causing death and felony insurance fraud were filed today against Anton “Tony” Mardesich after an extensive California Highway Patrol investigation was delivered to his office yesterday.

Ramsey said Mardesich will appear in Butte County Superior Court tomorrow afternoon where he is expected to plead guilty to the charges involving the death of Rick Butler Magee, 61, of Durham. Magee and his long-time friend and partner were riding their bicycles north on the Midway near Roble Road on the east shoulder about 3 p.m. when a least one witness saw a silver SUV also traveling north, go off the road and strike Magee’s bicycle, throwing him through the air forward past his friend’s lead bicycle. The vehicle was last seen continuing to drive north over the overpass on the Midway. Magee suffered massive head trauma from his head hitting the pavement and he later was pronounced dead at Enloe Hospital where he was taken.

Ramsey said the CHP report described how Mardesich took the SUV, a 2007 Ford Edge, to a Gridley auto body shop the next day for repair of damage to the right front headlight assembly, right corner panel and passenger side windshield. Mardesich told the shop an oak tree limb had fallen on the SUV as he drove it through one of the orchards he manages for the Mariani Nut Company. The SUV was registered to the company. That same day Mardesich made an insurance claim with the same oak limb story.

The next day, Friday, November 16, a mobile windshield repairman came to the Gridley auto body shop to give an estimate for repair of the SUV’s windshield and saw what he believed to be human hair in the windshield and told the shop’s secretary. On Monday, November 19, a painter working at the shop saw Mardesich come into the shop’s yard and smear mud on the SUV’s right headlight and windshield. He told the shop secretary of the odd occurrence. That night, the shop’s secretary saw a local television broadcast about the November 14th hit-and-run, which mentioned a silver SUV or truck as the suspect vehicle. The next day, November 20, the shop’s secretary called the CHP reporting her suspicions. The CHP responded that day and impounded the SUV on site, authoring a search warrant to seize the vehicle the next day, Wednesday, November 21, for processing by the local Department of Justice crime lab.

On November 21, CHP investigators contacted Mardesich and requested that he come into their Chico headquarters after the Thanksgiving holiday to speak to them about his whereabouts on November 14.

According to Mardesich's family and attorney, Mardesich suffered two "cardiac events" necessitating his hospitalization on two separate occasions over the Thanksgiving holidays. His attorney brought Mardesich into the Chico CHP headquarters on Tuesday, November 27, saying his client wished to confess his actions as "he could no longer live" with his concealment of the truth. CHP reports document Mardesich cooperated with officers and stated he was traveling north on the Midway in his company's SUV when he looked down at the center console for a second and when looked up again he was on the right shoulder and observed a bicycle rider directly in front of the vehicle. Mardesich said he turned the SUV sharply to the left in an attempt to avoid hitting the bicyclist, but stuck him with the right front corner of the vehicle. Mardesich said he continued traveling several hundred yards north over the overpass in the area and stopped his vehicle on the right shoulder, but he then "panicked" and fled the scene. Mardesich admitted lying to his family and insurance company about what caused the damage to the SUV.

Ramsey said the CHP investigation revealed no evidence of any impairment by drugs or alcohol of Mardesich or any excessive speed in his driving.

Ramsey said after Mardesich's plea tomorrow, he expected the case would be referred to the local probation department for a report and recommendation to the sentencing judge in approximately two months for an appropriate sentence. He said Mardesich faces up to six years in prison on the two charges.