

Court to hear Olga Franco's appeal today

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Body

The case of **Olga** Franco, the illegal immigrant convicted of killing four children in a 2008 school bus crash near Cottonwood, Minn., goes in front of a Minnesota **Appeals Court** panel **today**.

Franco, 26, was convicted in August 2008 of four counts of criminal vehicular homicide and 17 counts of criminal vehicular injury in the Feb. 19, 2008, crash, which killed 9-year-old Hunter and 13-year-old Jesse Javens, Emilee Olson, 9, and Reed Stevens, 12, near the southwestern Minnesota community. She was sentenced to more than 12 years in prison.

Franco's attorney Manuel Guerrero will tell a three-judge panel **today** that there was insufficient evidence to convict his client of gross negligence and to prove that she was the driver of the minivan that crashed into the school bus.

He will also argue that Lyon County District Judge David W. Peterson should not have admitted into trial **Franco's** hospital-room statement that she was driving, because she was medicated and in distress.

The **appeals court** panel will have 90 days to issue a ruling.

Regardless of the outcome, Franco, a native of Guatemala, will likely be deported after her incarceration because of her immigration status, according to a spokesman with U.S. Immigration and Customs Enforcement.

-- John Brewer

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