

# ROCHESTER Democrat and Chronicle.com

- Place an Ad
- Customer Service
- Subscribe
- Our Mission

faces from  
Communi  
learn mor

Local News Sports Opinion Business Obituaries Living Entertainment Nation/World Travel

Home ▸ Weather ▸ Jobs ▸ Cars ▸ Real Estate ▸ Apartments ▸ Shopping ▸ Classifieds ▸ Dating

Search Rochester:



**Get a  
FREE \$15  
gas card!**

**Sign up for  
text alerts**

Advertisement



<b>ESSENTIALS</b>
<b>News</b>
Special Projects
Community Guide
Nation / World
<b>Sports</b>
<b>Opinion</b>
<b>Entertainment</b>
<b>Living</b>
<b>Business</b>
<b>Columnists</b>
<b>Multimedia / Photos</b>
<b>Video</b>
<b>Blogs</b>
<b>Weather</b>
<b>Obituaries</b>
<b>Classifieds</b>
<b>Mobile Site</b>
<b>E-Newsletters</b>
<b>NEIGHBORS</b>
<b>Brighton</b>
<b>Chili</b>
<b>Fairport / Perinton</b>
<b>Gates</b>
<b>Greece</b>
<b>Henrietta</b>
<b>Irondequoit</b>
<b>Penfield</b>
<b>Pittsford</b>
<b>Rochester</b>
<b>Victor</b>
<b>Webster</b>
<b>AROUND TOWN</b>
<b>Rochester Magazine</b>
<b>Events Calendar</b>

## Deputy's statements allowed in DWI trial

Michael Zeigler  
Staff writer

(February 7, 2007) — The prosecution will be allowed to use statements made by an off-duty Monroe County sheriff's deputy after he allegedly drove drunk and killed a motorcyclist in Parma.

### Background

James Telban resigned from the sheriff's office after his arrest. If convicted of vehicular manslaughter, he faces a penalty of probation to seven years in prison.

Monroe County Court Judge John J. Connell has ruled that former sheriff's Deputy James R. Telban Jr. made the statements voluntarily before he refused to take a field sobriety test and demanded to talk to a lawyer.

Telban, 45, of Greece goes to trial April 23 on charges of second-degree vehicular manslaughter and intoxication in the Sept. 6 death of Peter Volkmuth, 27, of Greece.

Telban's lawyer, Joseph S. Damelio, said Connell's decision won't hurt the defense.

"We don't deny he was driving and we don't deny he was involved in an accident," Damelio said. "We're maintaining that it was just that — an accident, and it would have happened if he had had one drink and drove home."

Volkmuth was riding his motorcycle on West Ridge Road when Telban allegedly pulled in front of him at the Braemar Country Club, 4704 W. Ridge Road. Volkmuth suffered fatal head injuries.

Telban, a 19-year veteran of the sheriff's office, allegedly admitted to a Greece police officer that he had been drinking and was driving on Volkmuth's motorcycle. A court-ordered blood test showed Telban had a blood-alcohol content of 0.15 — three times the amount needed to bring a DWI charge.

During a brief court appearance Tuesday, Connell gave the prosecution until Feb. 14 to determine how many videotapes it made of the scene of the crash and provide them to the defense.

Although prosecutors previously turned over a tape made the night of the crash, Damelio said a document provided by the prosecution stated that another tape was made a month later to depict the road and weather conditions. Assistant District Attorney Christopher Rodeman said he's checking with property custodians to determine if that tape exists.

[MZEIGLER@DemocratandChronicle.com](mailto:MZEIGLER@DemocratandChronicle.com)

■ Last seven days of news

<a href="#">Wine Country</a>
<a href="#">Insider</a>
<a href="#">ConXion</a>
<b>ALSO ONLINE</b>
<a href="#">Help Center</a>
<a href="#">Coupons</a>
<a href="#">Dining / Nightlife</a>
<a href="#">NIE Program</a>
<a href="#">Personals</a>
<a href="#">Shopping</a>
<a href="#">Weddings</a>
<a href="#">Crossword</a>
<a href="#">Sudoku</a>
<a href="#">TV Listings</a>
<a href="#">Horoscopes</a>
<a href="#">RSS Feeds</a>
<a href="#">Podcasts</a>
<a href="#">Forums</a>
<a href="#">Archives</a>

Wed | Thu | Fri | Sat | Sun | Mon | Tue

■ **1999-Present Archive**

■ **Democrat and Chronicle Interactive**

**E-Newsletters**



Sign up for E-Newsletters.  
 Samples:  
 Latest News  
 FingerLakeWine.com  
 Business News  
 RSS feeds are also available.

**Podcasts**



Download a pod or vodcast:  
 Sports Exchange  
 Varsity Voices  
 At the Movies with Jack

**Subscribe**



Advertisement



**CUSTOMER SERVICE:** [Place An Ad](#) • [Manage Your Subscription](#) • [Contact Us](#) • [Submit A Story Idea](#) • [Jobs With Us](#) • [Our Missions](#)

**IMPORTANT PHONE NUMBERS:** Customer Service: (585) 232-5550 • Classified Advertising: (585) 454-1111 • Retail Advertising: (585) 232-5550 • Death Notices: (585) 546-7000 • Toll Free (NY State only): 1 (800) 767-7539

**PARTNERS:** Jobs: [CareerBuilder.com](#) • Cars: [Cars.com](#) • Apartments: [Apartments.com](#) • Homes: [Homescape.com](#) • Shopping: [Gannett Foundation](#) • [USA Today](#) • [USA Weekend](#)

**GANNETT NEW YORK NETWORK:** [Binghamton](#) • [Elmira](#) • [Ithaca](#) • [Poughkeepsie](#) • [Rochester](#) • [Utica](#) • [Westchester](#) • [WGRZ](#)

Copyright © 2007, The Rochester Democrat and Chronicle. All rights reserved. Use of this site signifies agreement to the [Terms of service](#) and [Privacy Policy](#), update Mailing Address: 55 Exchange Boulevard | Rochester, New York 14614 | (585) 232-7100

