

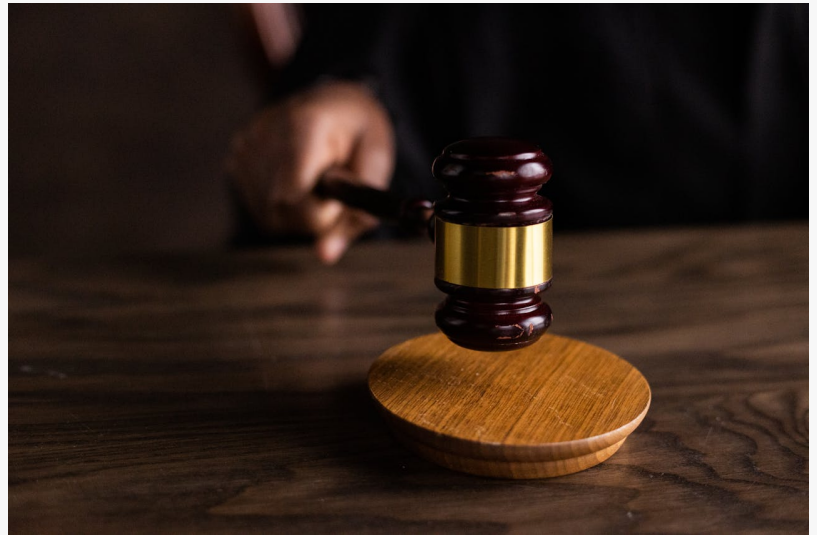
# Man re-convicted in murder case of Palm Springs art dealer disputes retrial ahead of delayed sentencing

*Former attorney who was one of six defendants convicted in the 2008 murder of Clifford Lambert cites a judge's past comments that led to his successful appeal.*

PALM SPRINGS, CALIFORNIA, UNITED STATES, June 3, 2024

/EINPresswire.com/ -- David K.

Replege, one of the four defendants who were granted a retrial in connection with the murder and disappearance of a local art dealer in 2008, is disputing the retrial, claiming the judge's behavior during the first trial affected the second trial, ultimately denying him his rights to fair and due process.



Replege, a former attorney who was disbarred after his first conviction, was sentenced to life in prison without parole in 2011 in connection with the murder of Clifford Lambert. Two of the co-defendants, Daniel Carlos Garcia and Kaushal Niroula, also convicted of murder and sentenced to life in prison, were granted an appeal for a new trial because of the behavior of the judge and homophobic comments made during the first trial.

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No matter what our personal opinions are about someone's sexual orientation, everyone in our country is entitled to a fair trial regardless of their sexuality, gender, age, nationality, or race.”

*Najar, CEO of Najar Investigations*

During the appeal, Niroula, who identified as a woman, represented herself in court and was able to establish possible improper conduct by the judge who was also accused of refusing to read motions introduced by Niroula because he expressed concerns over having contact with paperwork filed by Niroula who was HIV-positive.

Following Niroula and Garcia's successful appeals, Replogle, who also represented himself, and his co-defendant Miguel Bustamante, were also granted an appeal. Co-defendant Russell Manning is deceased, and the remaining co-defendant Craig McCarthy pleaded guilty in 2010 to felony charges.

On Aug. 11, 2022, Replogle was again found guilty of first-degree murder, three counts of burglary, two counts of grand theft, forgery, and several additional charges. (Superior Court of California, County of Riverside Case Number: INF064492)

Bustamante and Garcia were also found guilty in their retrials. Niroula was strangled to death by her cellmate in September 2022 before her retrial was scheduled to take place. Replogle's sentencing has been delayed since he was convicted in the 2022 retrial.

[Najar Investigations](#), one of the leading private investigations firms in Southern California, is assisting Replogle on the murder case.

Najar Investigations oversees an array of investigations for its clients, including homicides, sex crimes, infidelity, child support and custody battles, background investigations, fraud claims, missing persons, asset tracing, and more.

"The LGBTQ+ community is a vulnerable population that has historically been marginalized and threatened in society, and continues to face challenges. No matter what our personal opinions are about someone's sexual orientation, everyone in our country is entitled to a fair trial regardless of their sexuality, gender, age, nationality, or race," said Najar, CEO of Najar Investigations.

A new sentencing date for Replogle has not been released yet.

For more information services offered by Najar Investigations, visit [www.NajarInvestigations.com](http://www.NajarInvestigations.com)

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