

# American River Canyon restaurateur not going back to jail

By Carlos Alcalá, Sacramento Bee

Kevin Cairns, the Highway 50 restaurateur convicted of assaulting people who stopped in his parking lot, will face no additional jail time, an El Dorado Superior Court judge said Friday.

Judge Daniel B. Proud sentenced Cairns to a year in jail, minus the days he served before his trial, but stayed the sentence. If Cairns completes three years' probation and mandated anger-management class, he will not go to jail.

Nevertheless, Proud strongly criticized Cairns for saying he'd done nothing wrong, even after conviction on five misdemeanor counts of assault, vandalism, brandishing a weapon and disturbing the peace.

The incidents took place at Dante's on the River, his restaurant east of Pollock Pines, on a windy and somewhat isolated stretch of the highway.

"He obviously feels he was entitled to do what he did in his parking lot," Cairns' lawyer, Stephen Tapson, told the court during the sentencing hearing. "We can't come to you in good faith and say he's sorry."

As soon as Cairns had been sentenced, Tapson submitted a notice of appeal.

Proud declined to sentence Cairns to jail, noting that he'd been punished by having to shut his business, and that further jail time would probably only hurt his family. But those consequences, Proud told him, were his own fault.

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