

FILED
MAY 12 2015
DAVID H. YAMASAKI
Chief Executive Officer
Superior Court of Santa Clara
BY _____ DEPUTY

LAW OFFICES OF THE ALTERNATE DEFENDER
DAVID EPPS, # 160173
ALFONSO LOPEZ, # 203564
County of Santa Clara
701 Miller Street
San Jose, CA 95110
Telephone: (408) 299-7207

Attorneys for Defendant
Antolin Garcia Torres

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA**

PEOPLE OF THE STATE OF CALIFORNIA, NO. 213515
Plaintiff, DECLARATION OF COUNSEL
(Client Dress out)
vs.
ANTOLIN GARCIA-TORRES,
Defendant

I, Alfonso O. Lopez, declare as follows:

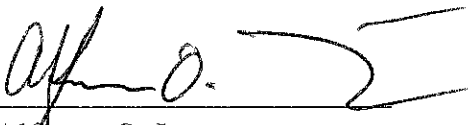
1. I am an attorney at the Office of the Alternate Defender for the County of Santa Clara and I am assigned to represent Mr. Garcia Torres in the above-entitled matter;
2. That this case is a high profile case where the media has been regularly publishing photographs, video footage, and news articles regarding his court appearances in this case;
3. That images of Mr. Garcia Torres have regularly been published in news print and television news footage which can be seen at any time on the internet;
4. That the general public, including prospective jurors, will see images of Mr. Garcia Torres while in court due to the high publicity of this case;
5. That Mr. Garcia Torres has State and Federal rights to a fair trial, due process, and equal protection which will be violated when prospective jurors see him

1 dressed in jail clothes (Estelle v. Williams (1976) 425 U.S. 501,; People v.
2 Taylor (1982) 31 Cal.3d 488; Chapman v. California (1967) 386 U.S. 18);

- 3 6. That even if the trial court orders prospective jurors not to view the news, it will
4 be too late as many, if not all, will have already seen images of Mr. Garcia
5 Torres from the news media;
- 6 7. That Honorable Judge Chatman has previously ordered Mr. Garcia Torres be
7 dressed out in court clothes and allowed to shave and shower for his past court
8 appearances;
- 9 8. That Honorable Judge Barrett has also previously ordered Mr. Garcia Torres be
10 dressed out in court clothes and allowed to shave and shower but that some
11 deputies refuse to unshackle him without articulating a manifest need for
12 shackling (People v. Miller, (2009) 175 Cal.App.4th 1109, 1117;
- 13 9. That Mr. Garcia Torres is seeking this order to include unshackling him which
14 was not specifically stated in the previous court orders;
- 15 10. That the People have been sent a copy of this declaration and proposed court
16 order;

17 I declare under the penalty of perjury that the foregoing is true and correct.

18 Executed on May 7th, 2015, San Jose, California.

19 
20 _____
21 Alfonso O. Lopez
22 Deputy Alternate Defender
23
24
25
26
27
28