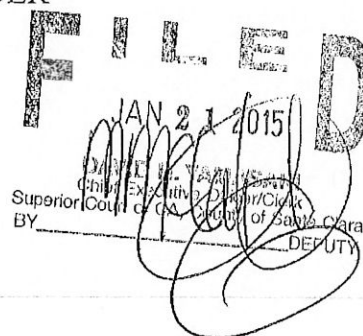


1 LAW OFFICES OF THE ALTERNATE PUBLIC DEFENDER
2 DAVID EPPS, # 160173
3 ALFONSO LOPEZ, # 203564
4 BRIAN MATTHEWS, # 191508
5 County of Santa Clara
6 701 Miller Street, 1st Flr.
7 San Jose, CA 95110
8 Telephone: (408) 299-7234

9 Attorneys for Defendant



10
11 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **IN AND FOR THE COUNTY OF SANTA CLARA**

13 PEOPLE OF THE STATE OF CALIFORNIA, NO: 213515

14 Plaintiff, Declaration of Counsel in Support of Order
15 that Defendant's Hands be Free During
16 Evaluation

17 vs.

18 ANTOLIN GARCIA-TORRES,

19 Defendant

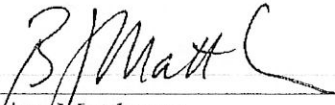
20 I, Brian Matthews, hereby declare:

- 21 1. I am an attorney working as an Alternate Public Defender for Santa Clara County;
- 22 2. I have been assigned to represent the above-named defendant in the above-entitled
- 23 action;
- 24 3. Mr. Garcia-Torres is charged with special circumstance murder;
- 25 4. Mr. Garcia-Torres is housed at the Santa Clara County Main Jail;
- 26 5. It is necessary for the defense to have Mr. Garcia-Torres evaluated by a confidential
- 27 defense expert at the jail;
- 28 6. The expert is travelling to San Jose and plans to evaluate Mr. Garcia-Torres on
- January 22nd, 23rd, and 24th;
7. I have communicated with the defense expert and have been advised that he will need
- Mr. Garcia-Torres to have his hands free during the evaluation;

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8. The evaluation, and therefore, the ability to have Mr. Garcia-Torres's hands free during the evaluation, are necessary to effectuate his rights under the 5th, 6th, 8th, and 14th Amendments to the United States Constitution and their California corollaries (right to due process, right to counsel, right to a reliable penalty determination).

I declare the foregoing under penalty of perjury and executed this document on January 21, 2015 at San Jose, California.



Brian Matthews
Deputy Alternate Defender