

PERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA
HALL OF JUSTICE

FILED

APR 18 2013

DAVID H. YAMASAKI
Chief Executive Officer/Clerk

Superior Court of CA County of Santa Clara

BY FARRIS BRYANT DEPUTY

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

**FIRST AMENDED
FELONY COMPLAINT
DOCKET NO. C1233134**

vs.

ANTOLIN GARCIA TORRES

DA NO: 120511149

CEN

AGT HELD 04/18/13

Defendant(s).

The undersigned is informed and believes that:

COUNT 1

On or about March 16, 2012, in the County of Santa Clara, State of California, the crime of MURDER, in violation of PENAL CODE SECTION 187, a Felony, was committed by ANTOLIN GARCIA TORRES who did unlawfully and with malice aforethought, kill Sierra LaMar, a human being.

(CJIC-SPC, JRS-QJ) It is further alleged that the murder of Sierra LaMar was committed while the defendant, ANTOLIN GARCIA TORRES, was engaged in and was an accomplice in the commission, the attempted commission, and the immediate flight after the commission and attempted commission, of a felony, Kidnapping in Violation of Penal Code sections 207 and 209, within the meaning of Penal Code section 190.2(a)(17).

COUNT 2

On or about March 19, 2009, in the County of Santa Clara, State of California, the crime of ATTEMPTED KIDNAPPING DURING A CARJACKING, in violation of PENAL CODE SECTION 664/209.5, a Felony, was committed by ANTOLIN GARCIA TORRES who did attempt during the commission of a carjacking and in order to facilitate the commission of the carjacking, kidnap another person, Annette Walters, a person who was not a principal in the commission of the carjacking.

(CJIC-AADW, JRS-VS) It is further alleged that at the time of and in the commission and attempted commission of the offense charged above, the defendant, ANTOLIN GARCIA TORRES, personally used a deadly and dangerous weapon, a(n) stun gun, within the meaning of Penal Code section 12022(b)(1).

It is also alleged that probation shall not be granted to the defendant within the meaning of Penal Code section 1203(e)(2).

COUNT 3

On or about March 19, 2009, in the County of Santa Clara, State of California, the crime of ATTEMPTED KIDNAPPING DURING A CARJACKING, in violation of PENAL CODE SECTION 664/209.5, a Felony, was committed by ANTOLIN GARCIA TORRES who did attempt during the commission of a carjacking and in order to facilitate the commission of the carjacking, kidnap another person, Miss Lundy, a person who was not a principal in the commission of the carjacking.

COUNT 4

On or about March 26, 2009, in the County of Santa Clara, State of California, the crime of ATTEMPTED KIDNAPPING DURING A CARJACKING, in violation of PENAL CODE SECTION 664/209.5, a Felony, was committed by ANTOLIN GARCIA TORRES who did attempt during the commission of a carjacking and in order to facilitate the commission of the carjacking, kidnap another person, Miss Orozco, a person who was not a principal in the commission of the carjacking.


Any defendant, including a juvenile, who is convicted of and pleads guilty and no contest to any felony offense, including any attempt to commit the offense, charged in this complaint or information is required to provide buccal swab samples, right thumbprints and a full palm print impression of each hand, and any blood specimens or other biological samples required pursuant to the DNA and Forensic Identification Database and Data Bank Act of 1998 and Penal Code section 296, et seq.

Further, attached and incorporated by reference are official reports and documents of a law enforcement agency which the complainant believes establish probable cause for the pretrial restraint of defendant ANTOLIN GARCIA TORRES, for the above-listed crimes.

Complainant therefore requests that the defendant(s) be dealt with according to law.

I certify under penalty of perjury that the above is true and correct.

Executed on April 18, 2013, in SANTA CLARA County, California.



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SCCSO (408) 808-4500 120760368G D

BOYD/ D419/ FELONY/ DG