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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF YOLO

10
11 THE PEOPLE OF THE STATE OF
CALIFORNIA,

12
13 Plaintiff,

14 vs.

15 MARTYN ALEX CONTRERAS,
16 JOSEPH GEORGE SANDENO,
17 ZACKARY THOMAS SANDENO,
18 VICTOR MANUEL VERGARA,
19 CARLOS BIVIESCAS,
20 ANTHONY DANIEL RIVERA

21 Defendants

Dept. *i* Case No. *15005378*

SECOND AMENDED COMPLAINT

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23 I, the undersigned, say, on information and belief, that in
24 the County of Yolo, State of California:

25 Count 1 : On or about September 19, 2015, ANTHONY DANIEL
26 RIVERA and CARLOS BIVIESCAS and JOSEPH GEORGE SANDENO and MARTYN
27 ALEX CONTRERAS and VICTOR MANUEL VERGARA and ZACKARY THOMAS
28 SANDENO did commit a FELONY, namely, a violation of Section

1 187(a) of the California Penal Code, MURDER, in that ANTHONY
2 DANIEL RIVERA and CARLOS BIVIESCAS and JOSEPH GEORGE SANDENO and
3 MARTYN ALEX CONTRERAS and VICTOR MANUEL VERGARA and ZACKARY
4 THOMAS SANDENO did willfully and unlawfully kill a human being,
5 to wit, Peter Gonzales, with malice aforethought.

6 Count Enhancement 1a : It is further alleged that at the
7 time of the commission of offense charged in this count, MARTYN
8 ALEX CONTRERAS and JOSEPH SANDENO AND ZACKARY THOMAS SANDENO AND
9 VICTOR VERGARA AND CARLOS BIVIESCAS AND ANTHONY DANIEL RIVERA
10 committed the above felony for the benefit of, at the direction
11 of, or in association with any criminal street gang, with the
12 specific intent to promote, further, or assist in any criminal
13 conduct by gang members, and is subject to the enhancement
14 within the meaning of Section 186.22(b)(1) of the California
15 Penal Code, ENHANCEMENT FOR CRIMINAL STREET GANG ACTIVITY.

16 Count 2 : On or about September 19, 2015, ANTHONY DANIEL
17 RIVERA and CARLOS BIVIESCAS and JOSEPH GEORGE SANDENO and MARTYN
18 ALEX CONTRERAS and VICTOR MANUEL VERGARA and ZACKARY THOMAS
19 SANDENO did commit a FELONY, namely, a violation of Section
20 186.22(a) of the California Penal Code, CRIMINAL STREET GANG
21 ACTIVITY, in that ANTHONY DANIEL RIVERA and CARLOS BIVIESCAS and
22 MARTYN ALEX CONTRERAS and VICTOR MANUEL VERGARA and ZACKARY
23 THOMAS SANDENO did willfully and unlawfully actively participate
24 in any criminal street gang with knowledge that the members of
25 that street gang engage in and have engaged in a pattern of
26 street gang activity, and ANTHONY DANIEL RIVERA and CARLOS
27 BIVIESCAS and MARTYN ALEX CONTRERAS and VICTOR MANUEL VERGARA
28 and ZACKARY THOMAS SANDENO did willfully and unlawfully promote,


1 further, and assist in any felonious criminal conduct by members
2 of that gang.

3 Case Enhancement a : It is further alleged that CARLOS
4 BIVIESCAS was previously convicted of a felony within the
5 meaning of Section 667.5(b) of the California Penal Code,
6 ENHANCEMENT FOR PRIOR PRISON TERM, in that CARLOS BIVIESCAS was
7 convicted of a felony on April 27th, 2011 in the County of
8 Solano, and that CARLOS BIVIESCAS served a prison term for such
9 conviction and that CARLOS BIVIESCAS has not remained free of
10 prison custody or free of a felony conviction for five years,
11 within the meaning of Section 667.5 of the Penal Code.

12 Case Enhancement b : It is further alleged that CARLOS
13 BIVIESCAS was previously convicted of a felony within the
14 meaning of Section 667.5(b) of the California Penal Code,
15 ENHANCEMENT FOR PRIOR PRISON TERM, in that CARLOS BIVIESCAS was
16 convicted of a felony on May 9th, 2014 in the County of Solano,
17 and that CARLOS BIVIESCAS served a prison term for such
18 conviction and that CARLOS BIVIESCAS has not remained free of
19 prison custody or free of a felony conviction for five years,
20 within the meaning of Section 667.5 of the Penal Code.

21 I declare under penalty of perjury that the foregoing is
22 correct.

23 Executed on December 1, 2015, at Woodland, California.

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27 _____
28 Garrett Hamilton/173423
Supervising Deputy District Attorney