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

11
12 THE PEOPLE OF THE STATE OF
13 CALIFORNIA,

14 Plaintiff,

15 vs.

16 SONNY RUDY MARTINEZ

17 Defendant(s)

Dept. 1 Case No. 15006190
COMPLAINT

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

22
23 Count 1 : On or about October 24, 2015, SONNY RUDY MARTINEZ
24 did commit a FELONY, namely, a violation of Sections 21a, 664(a)
25 and 187(a) of the California Penal Code, ATTEMPTED MURDER, in
26 that SONNY RUDY MARTINEZ did willfully, unlawfully and with
27 malice aforethought attempt to murder A.V., a human being.

28 Count Enhancement 1a : It is further alleged that the

1 attempted murder alleged above was willful, deliberate and
2 premeditated within the meaning of California Penal Code
3 Sections 664(a) and 189, ENHANCEMENT FOR WILLFUL, DELIBERATE AND
4 PREMEDITATED ATTEMPTED MURDER.

5 Count Enhancement 1b : It is further alleged that at the
6 time of the commission of offense charged in this count, SONNY
7 RUDY MARTINEZ committed the above felony for the benefit of, at
8 the direction of, or in association with any criminal street
9 gang, with the specific intent to promote, further, or assist in
10 any criminal conduct by gang members, and is subject to the
11 enhancement within the meaning of Section 186.22(b)(4) of the
12 California Penal Code, ENHANCEMENT FOR CRIMINAL STREET GANG
13 ACTIVITY.

14 Count Enhancement 1c : It is further alleged that during
15 the commission or attempted commission of the felony charged
16 above, SONNY RUDY MARTINEZ did willfully, unlawfully,
17 intentionally, and personally discharge a firearm, and
18 proximately cause great bodily injury as defined in Penal Code
19 Section 12022.7, within the meaning of Section 12022.53(d) of
20 the California Penal Code, INTENTIONAL AND PERSONAL DISCHARGE OF
21 FIREARM CAUSING GREAT BODILY INJURY.

22 Count Enhancement 1d : It is further alleged that during
23 the commission or attempted commission of the felony charged
24 above, SONNY RUDY MARTINEZ, with the intent to inflict great
25 bodily injury or death, did willfully and unlawfully inflict
26 great bodily injury and cause the death of a person, other than
27 an occupant of a motor vehicle, as a result of discharging a
28 firearm from a motor vehicle, within the meaning of Section

1 12022.55 of the California Penal Code, DISCHARGE OF FIREARM FROM
2 VEHICLE CAUSING GREAT BODILY INJURY OR DEATH.

3 Count Enhancement 1e : It is further alleged that during
4 the commission of the felony charged above, SONNY RUDY MARTINEZ
5 did willfully, unlawfully, and personally inflict great bodily
6 injury upon any person other than an accomplice and that said
7 injury did cause the victim to become comatose due to brain
8 injury or suffer paralysis of a permanent nature, within the
9 meaning of Section 12022.7(b) of the California Penal Code,
10 INFLICTION OF GREAT BODILY INJURY.

11
12 Count 2 : On or about October 24, 2015, SONNY RUDY MARTINEZ
13 did commit a FELONY, namely, a violation of Section 246 of the
14 California Penal Code, SHOOTING AT AN INHABITED DWELLING,
15 OCCUPIED BUILDING, OCCUPIED MOTOR VEHICLE, OCCUPIED AIRCRAFT,
16 INHABITED HOUSECAR, OR INHABITED CAMPER, in that SONNY RUDY
17 MARTINEZ did willfully, unlawfully, and maliciously discharge a
18 firearm at an inhabited dwelling.

19 Count Enhancement 2a : It is further alleged that at the
20 time of the commission of offense charged in this count, SONNY
21 RUDY MARTINEZ committed the above felony for the benefit of, at
22 the direction of, or in association with any criminal street
23 gang, with the specific intent to promote, further, or assist in
24 any criminal conduct by gang members, and is subject to the
25 enhancement within the meaning of Section 186.22(b)(4) of the
26 California Penal Code, ENHANCEMENT FOR CRIMINAL STREET GANG
27 ACTIVITY.

28 Count Enhancement 2b : It is further alleged that during

1 the commission or attempted commission of the felony charged
2 above, SONNY RUDY MARTINEZ did willfully, unlawfully,
3 intentionally, and personally discharge a firearm, and
4 proximately cause great bodily injury as defined in Penal Code
5 Section 12022.7, within the meaning of Section 12022.53(d) of
6 the California Penal Code, INTENTIONAL AND PERSONAL DISCHARGE OF
7 FIREARM CAUSING GREAT BODILY INJURY.

8 Count Enhancement 2c : It is further alleged that during
9 the commission or attempted commission of the felony charged
10 above, SONNY RUDY MARTINEZ, with the intent to inflict great
11 bodily injury or death, did willfully and unlawfully inflict
12 great bodily injury and cause the death of a person, other than
13 an occupant of a motor vehicle, as a result of discharging a
14 firearm from a motor vehicle, within the meaning of Section
15 12022.55 of the California Penal Code, DISCHARGE OF FIREARM FROM
16 VEHICLE CAUSING GREAT BODILY INJURY OR DEATH.

17 Count Enhancement 2d : It is further alleged that during
18 the commission of the felony charged above, SONNY RUDY MARTINEZ
19 did willfully, unlawfully, and personally inflict great bodily
20 injury upon any person other than an accomplice and that said
21 injury did cause the victim to become comatose due to brain
22 injury or suffer paralysis of a permanent nature, within the
23 meaning of Section 12022.7(b) of the California Penal Code,
24 INFLICTION OF GREAT BODILY INJURY.

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26 Case Enhancement a : It is further alleged that SONNY RUDY
27 MARTINEZ was previously convicted of a serious felony within the
28 meaning of Section 667(c) and 667(e)(1) of the California Penal

1 Code, ENHANCEMENT FOR ONE PRIOR FELONY CONVICTION THAT PROHIBITS
2 PROBATION, LIMITS CREDITS, REQUIRES CONSECUTIVE SENTENCING, AND
3 MANDATES PRISON COMMITMENT, in that SONNY RUDY MARTINEZ was
4 convicted of a prior felony as defined in Section 667(d) of the
5 California Penal Code, and listed in Sections 667.5(c) and
6 1192.7(a) of the Penal Code, and Section 707(b) of the Welfare
7 and Institutions Code, to wit, a conviction on July 28, 1994
8 for a violation of Section 207 of the California Penal Code, in
9 the County of Sacramento.

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11 Case Enhancement b : It is further alleged that SONNY RUDY
12 MARTINEZ was previously convicted of a violent felony within the
13 meaning of Section 667.5(a) of the California Penal Code,
14 ENHANCEMENT FOR PRIOR PRISON TERM FOR VIOLENT FELONIES, in that
15 SONNY RUDY MARTINEZ was convicted of a violent felony listed in
16 Section 667.5(c) of the Penal Code, to wit, Section 207 of the
17 California Penal Code, on July 28, 1994 in the County of
18 Sacramento, and that SONNY RUDY MARTINEZ served a prison term
19 for such conviction and that SONNY RUDY MARTINEZ has not
20 remained free of prison custody or free of a felony conviction
21 for ten years, within the meaning of Section 667.5 of the Penal
22 Code.


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24 Case Enhancement c : It is further alleged that SONNY RUDY
25 MARTINEZ was previously convicted of a felony within the meaning
26 of Section 667.5(b) of the California Penal Code, ENHANCEMENT
27 FOR PRIOR PRISON TERM, in that SONNY RUDY MARTINEZ was convicted
28 of a felony on March 13, 2007 in the County of United States

1 District Court, Eastern District of California, and that SONNY
2 RUDY MARTINEZ served a prison term for such conviction and that
3 SONNY RUDY MARTINEZ has not remained free of prison custody or
4 free of a felony conviction for five years, within the meaning
5 of Section 667.5 of the Penal Code.

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7 Case Enhancement d : It is further alleged that SONNY RUDY
8 MARTINEZ was previously convicted of a felony within the meaning
9 of Section 667.5(b) of the California Penal Code, ENHANCEMENT
10 FOR PRIOR PRISON TERM, in that SONNY RUDY MARTINEZ was convicted
11 of a felony on July 28, 1994 in the County of Sacramento, and
12 that SONNY RUDY MARTINEZ served a prison term for such
13 conviction and that SONNY RUDY MARTINEZ has not remained free of
14 prison custody or free of a felony conviction for five years,
15 within the meaning of Section 667.5 of the Penal Code.

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

18 Executed on October 28, 2015, at Woodland, California.

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21 Robert A. Gorman/176092
22 Supervising Deputy District Attorney
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