

Dept. No.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA,
HAYWARD HALL OF JUSTICE

ENDORSED
FILED
ALAMEDA COUNTY

FEB 26 2016

PEOPLE OF THE STATE OF CALIFORNIA

467702-6 A+B

v.

COMPLAINT

CLERK OF THE SUPERIOR COURT
By ROSA L. RODRIGUEZ
Deputy

ESMID VALENTIN PEDRAZA

PFN: BJP145

CEN: 6288751

DONATO DEJESUS PEREZ

PFN: BKY587

CEN: 6288876

Defendant(s).

IN CUSTODY - BOTH DEFENDANT'S

The Undersigned, being sworn says, on information and belief, that ESMID VALENTIN PEDRAZA did, in the County of Alameda, State of California, on or about February 14, 2016, commit a Felony, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder STACEY XANTHE AGUILAR, a human being.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI CLAUSE AS TO
DEFENDANT ESMID PEDRAZA**

It is further alleged as to the above count that said defendant ESMID VALENTIN PEDRAZA personally and intentionally discharged a firearm, and caused great bodily injury and death to STACEY XANTHE AGUILAR within the meaning of Penal Code sections 12022.7(a) and 12022.53(d). It is further alleged that said defendant personally inflicted great bodily injury on another person within the meaning of Penal Code section 12022. It is further alleged that said defendant personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c). It is further alleged that said defendant personally used a firearm within the meaning of Penal Code sections 12022.5(a) and 12022.53(b) and 12022.53(g).

**NOTICE OF STATE PRISON - VIOLENT/SERIOUS FELONY PRIOR CLAUSE AS TO
DEFENDANT ESMID PEDRAZA**

The defendant is hereby notified that the above felony conviction is for a violent felony within the meaning of Penal Code section 667.5(c) and a serious felony within the meaning of Penal Code section 1192.7(c). Accordingly, an executed sentence for the present felony charges shall be served in the state prison pursuant to Penal Code section 1170(h)(3).

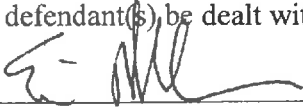
SECOND COUNT

The Undersigned further deposes and says on Information and belief, that said DONATO DEJESUS PEREZ did, in the County of Alameda, State of California, on or about February 14, 2016, commit a Felony, to wit: ACCESSORY AFTER THE FACT-(KNOWLEDGE OF CRIME), a violation of section 32 of the PENAL CODE of California, in that said defendant(s) unlawfully, having knowledge that the crime of MURDER, a felony, in violation of Section 187 of the Penal Code of the State of California had been committed by ESMID VALENTIN PEDRAZA, did harbor, conceal, and aid said ESMID VALENTIN PEDRAZA, with the intent that he/she might avoid and escape from arrest, trial, conviction, and punishment for said felony.

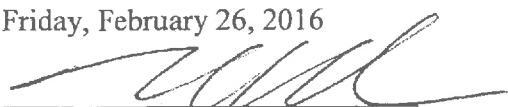
Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Complainant therefore prays that a warrant issue and that said defendant(s) be dealt with according to law.

Subscribed and sworn to before me,
Friday, February 26, 2016



/s/ Hayward PD-2016-14194



MARK A. MELTON
Deputy District Attorney
State Bar #104701 pl
Alameda County, California



County of Alameda
DAILY
DECLARATION AND DETERMINATION
Probable Cause for Warrantless Arrest



Arrestee/Suspect ESMID PEDRAZA		DOB 04/28/1992	CDL	PFN BJP145	Agency Report # 2016-14194
Arresting Agency HAYWARD PD (CA0010600)		Declarant Robert Purnell		Agency Phone (510) 293-7000	Agency Fax (510) 293-7183
Arrest Date 02/24/2016	Arrest Time 13:10:00	Arrest Location (630 SANSOME ST., SAN FRANCISCO, CA)			
Holds		Arrestee Home Address 357 LAUREL AV , #3 HAYWARD CA			
Charges/Violations PC 187 F(1 Counts)					

On 2-13-16, Pedraza, Donato Perez, and the victim went to a house party at 24073 Silva in Hayward. According to Perez, Pedraza was armed with a handgun and went out to his vehicle around 0100 hrs on 2-14-16 with his girlfriend, the victim. Perez heard several gunshots and went to the vehicle to find Pedraza holding the gun and admitted to Perez that he had shot and killed the victim. Pedraza and Perez drove the victim's body to Morrison Canyon Rd in Fremont where they rolled it down the hillside. Pedraza was contacted on 2-16-16 by ACSO deputies after the victim's sisters had been unable to reach her. Deputies located blood in the vehicle and Pedraza was ultimately arrested at that time for domestic violence. Subsequent searches pursuant to search warrants and recovery of video surveillance has corroborated information gained from Perez.

Through investigation, interviews, and searches, HPD detectives located the body of the victim off of Morrison Canyon Rd in Fremont on 2-20-16 suffering from several gunshot wounds. HPD detectives took Pedraza into custody on 2-24-16 at 1310 hrs at 630 Sansome St in San Francisco on a Ramey Warrant for murder signed by the Honorable Judge Lott where he was being held in federal custody on an immigration hold.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 02/26/2016 12:09:42

Declarant: Robert Purnell

Badge: 326

Reviewed and approved.

Date: 02/26/2016 12:09:36

Supervisor: Robert Purnell

Badge: 326



County of Alameda
DAILY
DECLARATION AND DETERMINATION
Probable Cause for Warrantless Arrest



Arrestee/Suspect DONATO PEREZ		DOB 09/19/1991	CDL	PFN BKY587	Agency Report # 2016-14194
Arresting Agency HAYWARD PD (CA0010600)		Declarant Robert Purnell		Agency Phone (510) 293-7000	Agency Fax (510) 293-7183
Arrest Date 02/25/2016	Arrest Time 08:38:00	Arrest Location 1654 68TH AV OAKLAND CA			
Holds		Arrestee Home Address 1654 68TH AV OAKLAND CA			
Charges/Violations PC 32 F(1 Counts)					

Hayward Police Detectives investigated the missing person and later murder of the victim beginning 2-16-16 when she was reported missing by her sisters. During the course of the investigation, Perez was contacted and interviewed several times. Perez admitted during interviews to assisting his friend, Esmid Pedraza in disposing of the victim's body in the hills near Fremont off of Morrison Canyon Rd after Pedraza shot and killed the victim in his vehicle near a house party in Hayward. Perez further admitted to helping dispose of belongings of the victim including her identification card, credit/debit card, and cellular phone, his own bloody clothing, and to assisting in cleaning off the suspect vehicle which contained the victim's blood after the dumping of the victim's body. Perez's statements about washing the vehicle were corroborated by surveillance video at the car wash. The victim's deceased body was located on 2-20-16 off of Morrison Canyon Rd in Fremont, suffering from several gunshot wounds.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 02/26/2016 07:15:52

Declarant: Robert Purnell

Badge: 326

Reviewed and approved.

Date: 02/26/2016 07:15:45

Supervisor: Robert Purnell

Badge: 326