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7
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 MALINDA JOY COLLINS,

16 JUSTIN MATTHEW GONZALEZ,

17 VANESSA LYNETTE RAMOS,

18 ALEXIS IVAN VELAZQUEZ,

19 CYNTHIA MARIA TELLO

20 Defendant(s)

Dept. Case No. 160004909

FIRST AMENDED COMPLAINT

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

24 Count 1 : On or about August 30, 2016, ALEXIS IVAN
25 VELAZQUEZ and CYNTHIA MARIA TELLO and JUSTIN MATTHEW GONZALEZ
26 and MALINDA JOY COLLINS and VANESSA LYNETTE RAMOS did commit a
27 FELONY, namely, a violation of Section 187(a) of the California
28 Penal Code, MURDER, in that ALEXIS IVAN VELAZQUEZ and CYNTHIA

1 MARIA TELLO and JUSTIN MATTHEW GONZALEZ and MALINDA JOY COLLINS
2 and VANESSA LYNETTE RAMOS did willfully and unlawfully kill a
3 human being, to wit, Antonio Fontanilla, with malice
4 aforethought.

5 Count Enhancement 1a : It is further alleged that during
6 the commission or attempted commission of the felony charged
7 above, ALEXIS IVAN VELAZQUEZ did willfully, unlawfully, and
8 personally use a deadly or dangerous weapon, within the meaning
9 of Section 12022(b)(1) of the California Penal Code, USE OF
10 DEADLY WEAPON.

11 Count Enhancement 1b : It is further alleged that at the
12 time of the commission of offense charged in this count, ALEXIS
13 IVAN VELAZQUEZ and CYNTHIA MARIA TELLO and JUSTIN MATTHEW
14 GONZALEZ and VANESSA LYNETTE RAMOS committed the above felony
15 for the benefit of, at the direction of, or in association with
16 any criminal street gang, with the specific intent to promote,
17 further, or assist in any criminal conduct by gang members, and
18 is subject to the enhancement within the meaning of Section
19 186.22(b)(1) of the California Penal Code, ENHANCEMENT FOR
20 CRIMINAL STREET GANG ACTIVITY.

21 Count Enhancement 1c : It is also alleged that ALEXIS IVAN
22 VELAZQUEZ and JUSTIN MATTHEW GONZALEZ is subject to a SPECIAL
23 CIRCUMSTANCE within the meaning of Section 190.2(a)(22) of the
24 California Penal Code in that ALEXIS IVAN VELAZQUEZ and JUSTIN
25 MATTHEW GONZALEZ intentionally killed the victim while ALEXIS
26 IVAN VELAZQUEZ and JUSTIN MATTHEW GONZALEZ was an active
27 participant in a criminal street gang, as defined in subdivision
28 (f) of Section 186.22, and the murder was carried out to further

1 the activities of the criminal street gang.

2 Count 2 : On or about August 30, 2016, ALEXIS IVAN
3 VELAZQUEZ and CYNTHIA MARIA TELLO and JUSTIN MATTHEW GONZALEZ
4 and VANESSA LYNETTE RAMOS did commit a FELONY, namely, a
5 violation of Section 186.22(a) of the California Penal Code,
6 CRIMINAL STREET GANG ACTIVITY, in that ALEXIS IVAN VELAZQUEZ and
7 CYNTHIA MARIA TELLO and JUSTIN MATTHEW GONZALEZ and VANESSA
8 LYNETTE RAMOS did willfully and unlawfully actively participate
9 in any criminal street gang with knowledge that the members of
10 that street gang engage in and have engaged in a pattern of
11 street gang activity, and ALEXIS IVAN VELAZQUEZ and CYNTHIA
12 MARIA TELLO and JUSTIN MATTHEW GONZALEZ and VANESSA LYNETTE
13 RAMOS did willfully and unlawfully promote, further, and assist
14 in any felonious criminal conduct by members of that gang.

15 Case Enhancement a : It is further alleged that ALEXIS IVAN
16 VELAZQUEZ was previously convicted of a serious felony within
17 the meaning of Section 667(c) and 667(e)(1) of the California
18 Penal Code, ENHANCEMENT FOR ONE PRIOR FELONY CONVICTION THAT
19 PROHIBITS PROBATION, LIMITS CREDITS, REQUIRES CONSECUTIVE
20 SENTENCING, AND MANDATES PRISON COMMITMENT, in that ALEXIS IVAN
21 VELAZQUEZ was convicted of a prior felony as defined in Section
22 667(d) of the California Penal Code, and listed in Sections
23 667.5(c) and 1192.7(a) of the Penal Code, and Section 707(b) of
24 the Welfare and Institutions Code, to wit, a conviction on June
25 30th, 2015 for a violation of Section 245(a)(4) of the
26 California Penal Code, in the County of Yolo.

27 Case Enhancement b : It is further alleged that JUSTIN
28 MATTHEW GONZALEZ was previously convicted of a serious felony

1 within the meaning of Section 667(e)(2) of the California Penal
2 Code, ENHANCEMENT FOR TWO OR MORE PRIOR CONVICTIONS FOR SERIOUS
3 FELONIES, in that JUSTIN MATTHEW GONZALEZ was convicted of two
4 or more prior felonies as defined in Section 667(d) of the
5 California Penal Code, and listed in Sections 667.5(c),
6 1192.7(c) of the Penal Code, or Section 707(b) of the Welfare
7 and Institutions Code as listed below: 1. Conviction One was
8 on February 26th, 2015, for a violation of Section 186.22(a) of
9 the California Penal Code, in the County of Kern. 2.
10 Conviction Two was on June 19th, 2013, for a violation of
11 Section Penal of the California Penal Code, in the County of
12 Yolo. Full Text of 3rd Prior or Click Cancel. Full Text of 4th
13 Prior or Click Cancel - If additional priors are needed, enter
14 them in Word document..

15 Case Enhancement c : It is further alleged that JUSTIN
16 MATTHEW GONZALEZ was previously convicted of a serious felony
17 within the meaning of Section 667(a)(1) of the California Penal
18 Code, ENHANCEMENT FOR HABITUAL CRIMINALS, in that JUSTIN MATTHEW
19 GONZALEZ was convicted of a serious felony listed in Section
20 1192.7 of the Penal Code, to wit, Section 186.22(a) of the
21 California Penal Code, on June 19th, 2013 in the County of Yolo.

22 Case Enhancement d : It is further alleged that JUSTIN
23 MATTHEW GONZALEZ was previously convicted of a serious felony
24 within the meaning of Section 667(a)(1) of the California Penal
25 Code, ENHANCEMENT FOR HABITUAL CRIMINALS, in that JUSTIN MATTHEW
26 GONZALEZ was convicted of a serious felony listed in Section
27 1192.7 of the Penal Code, to wit, Section 186.22(a) of the
28 California Penal Code, on February 26th, 2015 in the County of

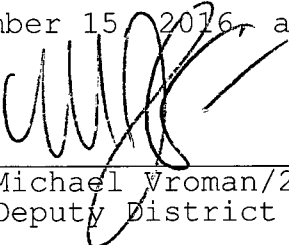
1 Kern.

2 Case Enhancement e : It is further alleged that JUSTIN
3 MATTHEW GONZALEZ was previously convicted of a felony within the
4 meaning of Section 667.5(b) of the California Penal Code,
5 ENHANCEMENT FOR PRIOR PRISON TERM, in that JUSTIN MATTHEW
6 GONZALEZ was convicted of a felony on February 26th, 2015 in the
7 County of Kern, and that JUSTIN MATTHEW GONZALEZ served a prison
8 term for such conviction and that JUSTIN MATTHEW GONZALEZ has
9 not remained free of prison custody or free of a felony
10 conviction for five years, within the meaning of Section 667.5
11 of the Penal Code.

12 Case Enhancement f : It is further alleged that JUSTIN
13 MATTHEW GONZALEZ 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 JUSTIN MATTHEW
16 GONZALEZ was convicted of a felony on June 19th, 2013 in the
17 County of Yolo, and that JUSTIN MATTHEW GONZALEZ served a prison
18 term for such conviction and that JUSTIN MATTHEW GONZALEZ has
19 not remained free of prison custody or free of a felony
20 conviction for five years, within the meaning of Section 667.5
21 of the Penal Code.

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

24 Executed on September 15, 2016, at Woodland, California.

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28 Michael Vroman/247763
Deputy District Attorney