

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
SOUTH COUNTY DIVISION

**FILED**  
San Diego Superior Court

OCT 18 2021

Clerk of the Superior Court  
By: E. Campo

THE PEOPLE OF THE STATE OF CALIFORNIA,  <p style="text-align: center;">v.</p> LARRY IBARRETA MILLETE, <i>dob 09/24/81;</i>	Plaintiff,          Defendant
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CT No. CS319857

DA No. BCI569

COMPLAINT-FELONY

INFORMATION    Date: _____
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**PC296 DNA TEST STATUS SUMMARY**

<u>Defendant</u>	<u>DNA Testing Requirements</u>
MILLETE, LARRY IBARRETA	DNA sample required upon conviction

**CHARGE SUMMARY**

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC187(a) MILLETE, LARRY IBARRETA	Felony	25 Yrs-Life		
2	PC30605(a) MILLETE, LARRY IBARRETA	Felony	16-2-3		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

## CHARGES

### COUNT 1 - MURDER

On or about January 7, 2021, LARRY IBARRETA MILLETE did unlawfully murder M.M., a human being, in violation of PENAL CODE SECTION 187(a).

### COUNT 2 - POSSESSION OF AN ASSAULT WEAPON

On or about January 7, 2021, LARRY IBARRETA MILLETE did unlawfully possess an assault weapon as defined in Penal Code sections 30510 and 30515, in violation of PENAL CODE SECTION 30605(a).

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NOTICE: Any defendant named on this complaint who is on criminal probation in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the preliminary hearing. Defenses to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

NOTICE: Any defendant named on this complaint who is on Mandatory Supervision in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's Mandatory Supervision pursuant to Penal Code Sections 1170(h)(5)(B) and 1203.2, on any and all such grants, utilizing the same evidence, at the preliminary hearing. Defense to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

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.

Sheriff's records indicate that as of the booking date one or more defendants have not yet provided a DNA sample to the DOJ database. Pursuant to Penal Code Section 296(e), the court shall order collection of DNA from the defendant(s) if advised by the prosecuting attorney that a sample is required but has not been provided by the defendant. Pursuant to Penal Code sections 296/296.1, if not already required from a past conviction, any defendants who have not done so will be required to provide a sample upon conviction of this felony offense.

MANDATORY STATE PRISON INCARCERATION: An executed sentence for a felony shall be served by defendant JOHN AAAA DOE in state prison pursuant to PENAL CODE SECTIONS 1170(f) and (h)(3).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CS319857, CONSISTS OF 2 COUNTS.

Executed at City of Chula Vista, County of San Diego, State of California, on October 15, 2021.

 #1012  
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COMPLAINANT

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INFORMATION

SUMMER STEPHAN  
District Attorney  
County of San Diego  
State of California  
by:

\_\_\_\_\_  
Date

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Deputy District Attorney