

1 PRESENT VIOLATION:

2 This matter originated in San Benito County Juvenile Court where a twelve (12) count  
3 petition was filed against the defendant charging him with two (2) counts of murder  
4 with special circumstances; two (2) counts of kidnapping; two (2) counts of robbery;  
5 two (2) counts of kidnapping for the purpose of robbery; two (2) counts of forcible rape;  
6 one (1) count of auto theft; and one (1) count of burglary. Thereafter, the District  
7 Attorney's Office requested a Fitness Hearing to determine whether or not the  
8 defendant was a fit and proper subject to be handled in juvenile court. A Fitness  
9 Hearing was held on December 8, 1988 at which time the Court found the defendant  
10 to be an unfit subject for treatment within the juvenile court system. Thereafter, a  
11 criminal complaint charging the same offenses was filed in Justice Court on December  
12 23, 1988 charging the defendant with the same offenses. He pled not guilty as  
13 charged and requested a preliminary hearing. The preliminary hearing was held on  
14 June 12, 1989, and was completed some months later, after which the defendant was  
15 held to answer in Superior Court on November 16, 1989.

16 The defendant was arraigned in Superior Court on December 5, 1989 pursuant to  
17 information #3274 which charged the same offenses. The defendant again pled not  
18 guilty and requested a jury trial. After further proceedings, venue was changed to  
19 Tulare County and the jury trial was set for April 27, 1992. The trial took place in the  
20 City of Visalia, CA. and on June 29, 1992, the defendant was convicted of the following  
21 charges:

22 Count I: Violation of Section 187 P.C., murder in the first degree, to wit: Lisa  
23 Koehler, a felony.

24 Count II: Violation of Section 207(a) P.C., kidnapping, to wit: Lisa Koehler, a  
25 felony.

26 Count III: Violation of Section 211 P.C., robbery, to wit: Lisa Koehler, a felony.

27 Count IV: Violation of Section 261(2) P.C., forcible rape, to wit: Lisa Koehler, a  
28 felony.

Count VII: Violation of Section 10851 V.C., auto theft, to wit: The property of Lisa  
Koehler, a felony.

Count VIII: Violation of Section 187 P.C., murder in the first degree, to wit: Martha  
DeLaRosa, a felony.

Count IX: Violation of Section 207(a) P.C., kidnapping, to wit: Martha DeLaRosa, a  
felony.

Count X: Violation of Section 209(b) P.C., kidnapping for purposes of robbery, to  
wit: Martha DeLaRosa, a felony.

Count XI: Violation of Section 211 P.C., robbery, to wit: Martha DeLaRosa, a  
felony.

1

2

Count XII: Violation of Section 261(2) P.C., forcible rape, to wit: Martha DeLaRosa, a felony.

93 MAR 26 PM 3:52

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN  
K. PETER SAIRS, Judge

BY ADELA FLORES  
DEPUTY

PEOPLE OF THE STATE OF CALIFORNIA  
VS.

PROBATION OFFICER'S REPORT

No. SC51740A  
A-70994  
P&J DATE: 4/5/93

GUSTAVO MUNOZ MARLOW, JR. Defendant Victoria Boyett, D.A.  
John Panerio, Atty.

AGE: 22

DATE OF BIRTH: 4/8/71

OFFENSE: Count I: 1768.7(b) of the Welfare and Institutions Code, Escape from Custody by Force and Violence, a felony enhanced per Penal Code Section 12022.7, Infliction of Great Bodily Injury. Count II: 664/187 of the Penal Code, Attempted Murder, a felony enhanced per Penal Code Section 12022.7, Infliction of Great Bodily Injury. Count IV & Count V: 261(2) of the Penal Code, Forcible Rape, a felony enhanced per Penal Code Section 12022.8 Infliction of Great Bodily Injury During Sex Offense. Count VI: 236 of the Penal Code False Imprisonment by Violence, a felony enhanced per Penal Code Section 12022.7 Infliction of Great Bodily Injury. Count VII: 211 of the Penal Code, Second Degree Robbery, a felony enhanced per Penal Code Section 12022.7 Infliction of Great Bodily Injury. Count VIII: 10851a of the Vehicle Code, Vehicle Theft, a felony.

DATE OF OFFENSE: 6/11/91

DATE OF CONVICTION: 3/3/93

DATE OF ARREST: 6/13/91

AGENCY: S.J.S.O.

DAYS IN CUSTODY: 1yr & 297 days O.R.

BAIL:

CO-DEFENDANTS AND STATUS: N/A

GUILTY BY: Found guilty by jury and all enhancements found true.

PLEA NEGOTIATION:

RECOMMENDATION:

REPORT SUBMITTED BY:

CALIFORNIA DEPARTMENT  
OF CORRECTIONS

LAURA SILVERI  
PROBATION OFFICER II  
ADULT DIVISION

17 Available information reveals that the defendant is currently

18 PRIOR RECORD:

19 **Juvenile Record:**

20 <u>Date:</u>	<u>Offense:</u>	<u>Disposition:</u>
21 01-17-79	Mail Tampering	Counseled and dismissed.
22 08-29-85	Riding a bicycle on city sidewalks	Fine.
23 11-15-89	220 P.C. 243.4(a) P.C.	Both charges found true, committed to CYA, presently incarcerated.

25

26 The defendant is still serving his commitment to the Youth Authority and according to  
Youth Authority records, he is scheduled for discharge on May 31, 1993.

27

28