

TULARE COUNTY SUPERIOR COURT DISTRICT  
PORTERVILLE DIVISION, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

DA No. 22-0026569

vs.

Court No.

LUIS RUBEN VILLARREAL DOB: 04/04/1988  
AKA: LUIS RUBEN VILLAREAL DOB: 04/04/1988  
AKA: LUIS RUBEN VILLARREAL DOB: 04/04/1980

**FELONY COMPLAINT  
THREE STRIKES**

Defendant(s).

The undersigned is informed and believes that:

**COUNT 1**

On or about August 12, 2008, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by LUIS RUBEN VILLARREAL, who did unlawfully, and with malice aforethought murder H.D, 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)."

**SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI**

It is further alleged as to count(s) 1 that said defendant(s) LUIS RUBEN VILLARREAL personally and intentionally discharged a firearm, a .40 CALIBER HANDGUN, which caused great bodily injury and death to H.D within the meaning of Penal Code Section 12022.53(d) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

It is further alleged as to count(s) 1 that said defendant(s) LUIS RUBEN VILLARREAL personally and intentionally discharged a firearm, a .40 CALIBER HANDGUN, within the meaning of Penal Code Section 12022.53(c) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

It is further alleged as to count(s) 1 that said defendant(s) LUIS RUBEN VILLARREAL personally used a firearm, a .40 CALIBER HANDGUN, within the meaning of Penal Code Section 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

**3RD STRIKE: TWO OR MORE SERIOUS OR VIOLENT FELONY CONVICTIONS AND CURRENT CHARGE IS SPECIFIED FELONY**

It is further alleged, that prior to the commission of the offense or offenses alleged in the defendant LUIS RUBEN VILLARREAL had been convicted of the following two or more serious and/or violent felonies, as defined in Penal Code section 667(d) and Penal Code section 1170.12(b):

| <b>COURT CASE NO.</b> | <b>CODE/ STATUTE</b>      | <b>CONVICTION DATE</b> | <b>COUNTY</b> | <b>STATE</b> | <b>COURT TYPE</b> |
|-----------------------|---------------------------|------------------------|---------------|--------------|-------------------|
| VCF167976             | PC245(a)(1)<br>w/ 12022.7 | 07.13.07               | TULARE        | CA           | SUPERIOR          |
| VCF167976             | PC245(a)(1)               | 07.13.07               | TULARE        | CA           | SUPERIOR          |
| VCF178146             | PC245(a)(2)               | 07.13.07               | TULARE        | CA           | SUPERIOR          |

Furthermore, Count(s) 1 is thus subjecting the defendant to sentencing pursuant to the provisions of Penal Code section 667(b)-(j) and Penal Code section 1170.12.

**SPEC ALLEG-CAL PRIOR-SERIOUS FELONY**

It is further alleged as to count(s) 1 pursuant to Penal Code section 667(a)(1) that the defendant(s) LUIS RUBEN VILLARREAL, has suffered the following prior conviction(s) of a serious felony:

| <b>COURT CASE NO.</b> | <b>CODE/ STATUTE</b>      | <b>CONVICTION DATE</b> | <b>COUNTY</b> | <b>STATE</b> | <b>COURT TYPE</b> |
|-----------------------|---------------------------|------------------------|---------------|--------------|-------------------|
| VCF167976             | PC245(a)(1)<br>w/ 12022.7 | 07.13.07               | TULARE        | CA           | SUPERIOR          |
| VCF167976             | PC245(a)(1)               | 07.13.07               | TULARE        | CA           | SUPERIOR          |

**SPEC ALLEG-CAL PRIOR-SERIOUS FELONY**

It is further alleged as to count(s) 1 pursuant to Penal Code section 667(a)(1) that the defendant(s) LUIS RUBEN VILLARREAL, has suffered the following prior conviction(s) of a serious felony:

| <b>COURT CASE NO.</b> | <b>CODE/ STATUTE</b> | <b>CONVICTION DATE</b> | <b>COUNTY</b> | <b>STATE</b> | <b>COURT TYPE</b> |
|-----------------------|----------------------|------------------------|---------------|--------------|-------------------|
| VCF178146             | PC245(a)(2)          | 07.13.07               | TULARE        | CA           | SUPERIOR          |

**SPEC ALLEG-TWO OR MORE PRIOR FELONY CONVICTIONS-ELIGIBILITY FOR PROBATION**

It is further alleged as to count(s) 1 that said defendant(s) LUIS RUBEN VILLARREAL, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

| <b>COURT CASE NO.</b> | <b>CODE/ STATUTE</b>      | <b>CONVICTION DATE</b> | <b>COUNTY</b> | <b>STATE</b> | <b>COURT TYPE</b> |
|-----------------------|---------------------------|------------------------|---------------|--------------|-------------------|
| VCF167976             | PC245(a)(1)<br>w/ 12022.7 | 07.13.07               | TULARE        | CA           | SUPERIOR          |
| VCF167976             | PC245(a)(1)               | 07.13.07               | TULARE        | CA           | SUPERIOR          |
| VCF178146             | PC245(a)(2)               | 07.13.07               | TULARE        | CA           | SUPERIOR          |

**SPEC ALLEG-ON FELONY PROBATION**

It is further alleged as to count(s) 1 that the defendant(s) LUIS RUBEN VILLARREAL committed the above offense while on felony probation within the meaning of section 1203(k).

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

Pursuant to People v. Cunningham, the People hereby put the defendant on notice that the aggravated sentence may be sought in this case.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 1 COUNT(S).

Executed at PORTERVILLE DIVISION, California, on 07/08/2022.

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DAVID ALAVEZOS  
DEPUTY DISTRICT ATTORNEY

Agency: TULARE COUNTY DISTRICT ATTORNEY

| <u>DEFENDANT NAME</u> | <u>SEX</u> | <u>RACE</u> | <u>HGT</u> | <u>WGT</u> | <u>EYES</u> | <u>HAIR</u> | <u>COURT DATE</u> | <u>INTAKE STATUS</u> |
|-----------------------|------------|-------------|------------|------------|-------------|-------------|-------------------|----------------------|
| Luis Ruben Villarreal | M          | H           | 5'10       | 220        | Brown       | Black       |                   | IO                   |

COMPLAINT PROCESSED BY: JS