

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS
CRIMINAL DIVISION

THE STATE OF KANSAS, Plaintiff

vs. Case No. 2021-JV-000037

ALAN ALANIS, Defendant.

EVIDENTIARY STIPULATION

NOW, this matter comes on before the above-named Court upon the parties agreement. The State appears by and through Amy L. Aranda, First Assistant Lyon County Attorney and Laura L. Miser, Assistant Lyon County Attorney. The respondent appears in person and through counsel, James Heathman.

The respondent through counsel agrees to stipulate to the identity of the alleged victim for purposes of the motion to prosecute as an adult. Thereby, the parties stipulate the following facts are true:

1. On September 6, 2017, a burned vehicle was located on Road 160 and Road T in Lyon County Kansas. A burned deceased person was located partially out of the vehicle on the front passenger side. The deceased person was the subject of a post mortem exam by Dr. Mitchell on September 7, 2017 and later positively identified as Jesus Avila, Jr.

The respondent understands he has the right to require the State to prove the identity of the deceased and by stipulating is relieving the State of its burden to prove said facts. He further states that this stipulation is his free and voluntary act after sufficient time to discuss with counsel and understands the Court will take as uncontested the evidence contained in the stipulation.

SUBMITTED AND APPROVED:


/s/ Laura Miser 17402

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Respondent