

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS
JUVENILE DIVISION

IN THE MATTER OF

SAMUEL GARCIA, JUVENILE

CASE NO.2021-JV-000055

DATE OF BIRTH: 10/2/1999
A MALE UNDER THE AGE OF 18 YEARS

COMPLAINT

TO: SAMUEL GARCIA, JUVENILE
c/o KDOC - Larned Correctional Mental Health Facility
1318 KS Highway 264
Larned, KS 67550-0280

MARTINA GARCIA, MOTHER OF MINOR CHILD
1652 Road M5
Emporia, KS 66801
(620) 757-1721

MAXIMINO GARCIA, FATHER OF MINOR CHILD
215 Neosho Street
Emporia, KS 66801
(620) 757-0574

BOTH PARENTS MUST ATTEND ALL HEARINGS

The Complainant alleges as follows:

1. The name, date of birth, and residence address of the juvenile; the names and residence addresses of the juvenile's parents; and names and residences of any person having custody or control of the juvenile or the nearest known relative if no parent can be found, are as shown above.
2. The juvenile is charged as follows:

Count 1 - Conspiracy murder in the 1st degree; Intentional and premeditated

That on, about, or between the 1st day of August, 2017 and the 5th day of September, 2017, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully, feloniously, intentionally and with premeditation agree with another person, to-wit: Alan Alanis and/or Jovan Pecina and/or Andrew John Granado and/or Armando Nunez and/or Jordy Cornejo Campoverde, to commit or assist in the commission of the crime of First Degree Murder, to-wit: killing a human being, to-wit: Jesus Avila Jr, and an overt act, to-wit: Samuel Garcia obtained a .22 caliber pistol; Andrew John Granado, Samuel Garcia, Jovan Pecina, Alan Alanis, Armando Nunez and Jordy Cornejo Campoverde communicated through social media applications and/or electronic devices to aid in the commission of the crime; Andrew John Granado, Samuel Garcia, Jovan Pecina, Alan Alanis, Armando Nunez and Jordy Cornejo Campoverde skipped school and met at Cornejo Campoverde's house; Samuel Garcia contacted Jesus Avila, Jr.; Samuel Garcia and Jovan Pecina left with Jesus Avila, Jr. in Avila's vehicle; Samuel Garcia shot and killed Jesus Avila, Jr.; Andrew John Granado drove himself, Alan Alanis, Armando Nunez and Jordy Cornejo Campoverde and took gasoline to a predesignated location where they met Samuel Garcia and Jovan Pecina, with Avila's vehicle and body; Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo Campoverde removed U.S. currency, a speaker, and an AK47 rifle from Avila's vehicle, Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo Campoverde burned Avila's vehicle and body using the gasoline provided; Andrew John Granado drove Samuel Garcia, Alan Alanis, Armando Nunez, Jovan Pecina and Jordy Cornejo Campoverde back to Cornejo Campoverde's house; Samuel Garcia, Alan Alanis and Jordy Cornejo Campoverde disposed of the .22 caliber pistol; Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo Campoverde distributed the U.S. currency amongst themselves and concealed the speaker and AK47 rifle, in furtherance of the conspiracy was committed by Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo-Campoverde. In violation of K.S.A. 21-5302 and K.S.A. 21-5402 (a) (1), and against the peace and dignity of the State of Kansas (Severity Level 2 Person Felony) [21.5402.a.1/con]

Count 2 - Murder in the 1st degree; Intentional and premeditated

That on or about the 5th day of September, 2017, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully, feloniously, intentionally and with premeditation, kill a human being, to-wit: Jesus Avila Jr. In violation of K.S.A. 2-5402, and against the peace and dignity of the State of Kansas. (Off-grid Person Felony) [21.5402.a.1]

OR IN THE ALTERNATIVE

Count 2 - Murder in the 1st degree; In the commission of a felony

That on or about the 5th day of September, 2017, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully and feloniously kill a human being, to-wit: Jesus Avila Jr, during the commission of, attempt to commit, or flight from the

commission of an inherently dangerous felony, to-wit: Aggravated Robbery as defined in K.S.A. 21-5420(b) and amendments thereto. In violation of K.S.A. 21-5402, and against the peace and dignity of the State of Kansas. (Off-grid Person Felony) [21.5402.a.2]

Count 3 - Conspiracy aggravated robbery; Armed w/ dangerous weapon

That on or between the 1st day of August, 2017 and the 5th day of September, 2017, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully, feloniously and knowingly, agree with another person, to-wit: Alan Alanis and/or Jovan Pecina and/or Andrew John Granado and/or Armando Nunez, and/or Jordy Cornejo-Campoverde, to commit or assist in the commission of the crime of Aggravated Robbery, while armed with a dangerous weapon, to-wit: a .22 caliber pistol, to take property, to-wit: US currency, AK47 rifle, speaker, and/or Nissan Altima vehicle, from the person or presence of Jesus Avila Jr, by force, or by threat of bodily harm to any person, and an overt act, to-wit: Samuel Garcia obtained a .22 caliber pistol; Andrew John Granado, Samuel Garcia, Jovan Pecina, Alan Alanis, Armando Nunez and Jordy Cornejo Campoverde communicated through social media applications and/or electronic devices to aid in the commission of the crime; Andrew John Granado, Samuel Garcia, Jovan Pecina, Alan Alanis, Armando Nunez and Jordy Cornejo-Campoverde skipped school and met at Cornejo Campoverde's house; Samuel Garcia contacted Jesus Avila, Jr.; Samuel Garcia and Jovan Pecina left with Jesus Avila, Jr. in Avila's vehicle; Samuel Garcia shot and killed Jesus Avila, Jr.; Andrew John Granado drove himself, Alan Alanis, Armando Nunez and Jordy Cornejo Campoverde and took gasoline to a predesignated location where they met Samuel Garcia and Jovan Pecina with Avila's vehicle and body; Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo Campoverde removed U.S. currency, a speaker, and an AK47 rifle from Avila's vehicle, Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo Campoverde burned Avila's vehicle and body using the gasoline provided; Andrew John Granado drove Samuel Garcia, Alan Alanis, Armando Nunez, Jovan Pecina and Jordy Cornejo Campoverde back to Cornejo Campoverde's house; Samuel Garcia, Alan Alanis and Jordy Cornejo Campoverde disposed of the .22 caliber pistol; Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo Campoverde distributed the U.S. currency amongst themselves and concealed the speaker and AK47 rifle, in furtherance of the conspiracy was committed by Andrew John Granado and/or Samuel Garcia and/or Jovan Pecina and/or Alan Alanis and/or Armando Nunez and/or Jordy Cornejo-Campoverde. In violation of K.S.A. 21-5420(b)(1), and against the peace and dignity of the State of Kansas. (Severity Level 5 Person Felony) [21.5420.b.1/con]

Count 4 - Aggravated robbery; Inflicts bodily harm

That on or about the 5th day of September, 2017, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully, feloniously and knowingly, take property to-wit: US Currency, AK47 rifle, speaker, and/or Nissan Altima vehicle, from the person or presence of Jesus Avila Jr, or by force, or by threat of bodily harm to any person, and during the course of such robbery, bodily harm was inflicted upon Jesus Avila Jr. In violation of K.S.A. 21-5420(b), and against the peace and dignity of the State of Kansas. (Severity Level 3 Person Felony) [21.5420.b.2]

OR IN THE ALTERNATIVE

Count 4 - Theft of property or services; Value less than \$1,500

That on or about the 5th day of September, 2017, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully obtain or exert unauthorized control over property worth less than \$1,500.00, to-wit: US currency, AK47 rifle, and/or speaker, with the intent to permanently deprive the owner, to-wit: Jesus Avila Jr, of the possession, use or benefit of such property . In violation of K.S.A. 21-5801(a)(1) & (b)(4), and against the peace and dignity of the State of Kansas. (Class A Nonperson Misdemeanor) [21.5801.a.1.b4]

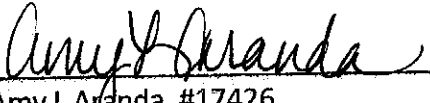
Count 5- Arson; Intentional to non-dwelling of another without consent

That on or about the 5th day of September, 2017, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully, feloniously, and knowingly damage by means of fire or explosive, property which is not a dwelling, to-wit: Nissan Altima vehicle, in which Jesus Avila Sr and/or Jesus Avila Jr have an interest and who did not consent to said damage. In violation of K.S.A. 21-5812(a)(1)(C), and against the peace and dignity of the State of Kansas. (Severity Level 7 Non-person Felony) [21.5812.a.1.C]

Count 6 - Interference with LEO; Conceal/alter/destroy evidence

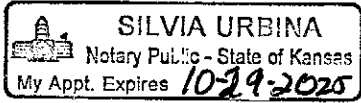
That on, about or between the 5th day of September, 2017 and the 3rd day of March, 2018, in Lyon County, Kansas, Samuel Garcia, then and there being present did unlawfully, feloniously and knowingly conceal, destroy or materially alter evidence with the intent to prevent or hinder the apprehension or prosecution of any person, and further said act was committed in the case of a felony. In violation of K.S.A. 21-5904(a)(2) & (b)(4)(B), and against the peace and dignity of the State of Kansas. (Severity Level 8 Non-person Felony) [21.5904.a2.b4.B]

Complainant requests the parent(s), if not already under court order to do so, be ordered to pay child support for said juvenile for any periods during which care, custody and control of the child is not vested with the parent(s).



Amy L Aranda, #17426
First Assistant County Attorney
430 Commercial St, Ste 202
Emporia, KS 66801
(620) 341 3263; FAX (620) 341-3442
aaranda@lyoncounty.org
Complainant

SUBSCRIBED AND SWORN to before me this 6th day of December, 2021.



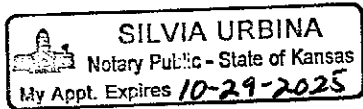
Silvia Urbina
Silvia Urbina, Notary Public

STATE OF KANSAS, COUNTY OF LYON, ss:

Amy L Aranda, for and on behalf of said county, within and for said State, being by me first duly sworn says that has read the above and foregoing Complaint and knows the contents thereof, and that the same is true in substance and in fact to best information and belief.

Amy L Aranda
Amy L Aranda, #17426
First Assistant County Attorney

SUBSCRIBED AND SWORN TO before me this 6th day of December, 2021.



Silvia Urbina
Silvia Urbina, Notary Public

LEO Witnesses:

- Agha, Jaffar [EPD]**
- Alwes, Brian [ATF]**
- Arb, Dan [LYSO]**
- Arnold, Harley [EPD]**
- Baker, James [LYSO]**
- Bauman, Kevin [Anderson Co. Search & Rescue]**
- Bautel, Courtney [Frontier Forensics]**
- Bell, Shelby [Frontier Forensics]**
- Blanton, Karen [KBI SA]**

Boyer, Ryan [KBI SSA]
Bradford, Reason [Fire Marshall/EFD]
Brede, David [KBI SSA]
Bridges, James [KBI SAC]
Brinkmeyer, Mick [Anderson Co. Search & Rescue]
Brock, Clint [KBI SA]
Brockman, Jim [LYSO]
Brooks, Tera [Franklin CO SO]
Broyles, Danny [LYSO]
Buck, Samantha [KBI Forensic Scientist]
Buell, Vikki [KBI CIA Unit]
Bundy, Steven [KBI SSA]
Burk, Ronnie [KBI SSA]
Byrd, Jon [Ron Smith & Assoc]
Carr, Justin [LYSO]
Celeste, Anthony [KSFM]
Chavez, Arnold [LYSO Detention Offr]
Clay, Larry [USD 253 Security]
Cole, Amber [KBI CFO]
Cope, Jeff [LYSO]
Crow, Brad [KBI Forensic Scientist]
Dall, Steve [LYSO]
Davis, Kelly [EPD]
Decker, Paul [Anderson Co. Search & Rescue]
Dekat, Nicole [KBI Forensic Scientist]
Delgadillo, Daniel [EPD/KHP]
Delmott, Dennis [LYCA Investigator]
Diaz, Jason [KBI SSA]
Doty, Lane [EPD]
Dougherty, Casey [USSS]
Early, Brandon [LYSO]
Edgecomb, Lonnie [Anderson Co. Search & Rescue]
Evans, Daniel [LYSO]
Fell, Jarrod [Lyon Co. Emergency Mgmt.]
Fishburn, Callie [Community Corrections - juvenile probation]
Fisher, Rex [EFD]
Flohrshutz, Tim [FBI]
Fournier, Jemiah [EPD]
Frederickson, Laura [Frontier Forensics investigator]
Garcia, Mackenzie [KBI - Forensic Scientist Firearms & Toolmarks]
Gifford, Jason [LYSO]
Gill, Jarrod [KBI SA]
Gillespie, Steve [KBI SA]
Gladding, Taylor KBI IA Unit

Goldsby, Tyler, KBI SA
Hachmeister, Aaron [KBI SA]
Hayworth, Jacqueline [KBI Forensic Scientist Latents]
Hendrickson, Garland [LYSO]
Hermanson, Arnold DDS [Forensic Odontologist]
Hernandez, Marcial [EPD]
Herrera, Andy [KBI SA]
Hockett, Lance [KDWP]
Holmes, David [EPD]
Hornseth, Crystal [KBI SA]
Horst, Kayla [KBI Forensic Scientist/CSRT]
Illk, Jeff [USD 253 Security]
Johnson, Randi [KBI CIA Unit]
Keathley, FNU [Osceola Co. SO Michigan]
Kehres, Nolan [LYSO]
King, Verla [KBI CIA Unit]
Koelsh, John [LYSO]
Ladd, Patrick [Topeka PD]
Latham, Cory [KBI SSA]
Lawson, Terri [Coffey Co. dive team]
Leakey, Tim [KBI SSA]
Logsdon, Brad [LYSO]
Magana, Ronald [EPD]
Malick, Mark [KBI SSA]
May, Makenzie [LYSO Detention]
Mercer, Chris [KSFM]
Meyers, Jody [LYSO]
Michels, Roger [KBI Forensic Scientist Firearms & Toolmarks]
Miller, Pamela [KBI CIA Unit]
Mishler, Travis [LYSO]
Mitchell, Eric Dr. [ME/Frontier Forensics]
Moore, Chuck [LYSO]
Moore, Eric [KBI Forensic Scientist]
Moser, Matthew [KDOR OSI]
Muckenthaler, Jeff [KBI CIA Unit]
Nance, Zachary [LYSO Detention]
National Domestic Communications Assistance Center [NDCAC]
Nicolet, Cory [LYSO]
O'Neal, Jerry [Bulter County Detention Center Intelligence Analyst/records custodian]
Ohlemeier, Cay [LYSO/Community Corrections]
Olson, Spenser [EFD investigator]
Pipkin, Nick [KBI SA]
Pitsenbarger, Kelsie [Frontier Forensics]
Podrebarac, Damien [EPD]

Pratt, George Det. [Oseola Co. SO, Michigan]
Ralston, Kelly [KBI SAC]
Rankin, Nathan [LYSO]
Rantz, Mickey [KBI SA]
Reed, Toby [USMS]
Rhodes, Troy [KBI SSA]
Roberts, Wally [KSFM Chief]
Rodriguez, Erin [Community Corrections juvenile probation]
Rodriguez, Jeff [LYSO]
Rodriguez, Oscar [Rio Grande Detention Ctr]
Rogers, Tasha [Coffey Co. dive team]
Rogers, Zach [Coffey Co. dive team]
Roney, Kenny [Coffey Co dive team]
Roney, Mike [Coffey Co SO/Coffey Co dive team]
Ross, Clinton [LYCA Investigator]
Santa, Ivonne [KBI SA]
Scheve, Aaron [KDWP]
Seabolt, Eric [Anderson Co Search & Rescue]
Seabolt, Kenneth [Anderson Co. Search & Rescue]
Shafer, Zach [LYSO]
Sharp, Terry [KSFM]
Shireman, Kevin [EPD]
Sisco, Sheri KBI Forensic Scientist/CSRT]
Smith, William [KBI SAC]
Spade, Stephanie [KBI SA]
Sparling, Jena [KBI Forensic Scientist]
Stephens, Paul [Anderson Co. Search & Rescue]
Stirling, John [Shawnee PD]
Stokes, Jeff [KBI SA]
Stump, Doug [LYSO]
Teem, Denice M. [Toxicologist NMS Labs]
Titus Gifford, Tera [LYSO]
Turner, Chris [KBI ASAC]
Underwood, Jared [KBI SA]
Vaden, Courtney [KBI CIA Unit]
Valdivia, Hayley [KBI Lab Technician]
Vortherms, Dominick [EPD]
Ward, Willy [EFD Investigator]
Warkentine, William [Coffey Co. dive team]
Waters, Steven [ATF]
Welsh, Jacob [LYSO]
Wessel, Jay [KBI Forensic Scientist - Latents]
Wilber, Joe [Anderson Co. Search & Rescue]
Williams, Jason [LYSO]

Winkel, Jaime [KBI Evidence Admin Spec.]
Woodward, Kelly [KBI Forensic Scientist/CSRT]
Young, Amanda [KBI SSA]
Younger, Doug [KBI SAC]
Zornes, Ryan [EFD]

Lay Witnesses:

Alanis Cornejo, Silvia
Alanis, Alan
Alanis, Erica
Alanis, Guadalupe
Alanis, Lyrissa
Aldrete, Esmeralda
Aldrete, Maria Isabel
Arteaga, Daniel
AT&T, Rec. custodian
Avila, Jesus Sr.
Avila, Maria Virginia
Avila, Marilu
Bahena, Erick
Baker, Antonio
Baray, Enrique
Barrett, Nate [IT USD 253]
Beadles, Paul [Dir of IT Operations USD 253]
Benson, Jadena [Pizza Hut]
Brewer, Jerica [DCF]
Caballero, Leslie
Calderon, Karina
Caldwell, Leon
Campoverde, Maria
Carson, Shelby [Pizza Hut]
Casey's "Manager" [rec custodian for video]
Castillo, Jocelyn
Castillo, Jonathan "Chavo"
Cecenas, Osiel
Chaparro, Alexis
Chaparro, Cesar
Chaparro, Miguel
Chaparro, Victor
Coleman, Matt [Hills]
Community National Bank – surveillance video custodian
Community National Bank records custodian
Consumer Cellular, records custodian

Cornejo-Campoverde, Jordy
Couch, Alex
Cricket Communications, records custodian
D'Angelo, Quentin
De La Luz, Oscar
Dingman, Garrett
Doktor, Alexander [Pizza Hut]
Durler, Lukas
Ellis, Trisha
Emporia Orthodontics, records custodian
Facebook, rec custodian
Flint Hills Learning Center records custodian
Flint Hills Community Health Center, records custodian
Foster, Keith [Corner Pocket/Lonesome Dove]
Fowler, Larry
Fruit, Dan
Garcia Lopez, Isabel [Elizabeth]
Garcia Nunez, Martina
Garcia, Daniel
Garcia, Joshua
Garcia, Maximo
Garcia, Sandy
Garcia, Simon
Geifer, Danny
Gerry's Pawn, rep. of
Gomez, Kevin
Gomez, Henry
Google, rep. of
Goulden, Karly [Grey]
Granado, Andrew John
Granado, Eluterio
Granado, Eluterio III
Granado, Nichole
Granado, Olivia
Guevara, Kevin a/k/a Jasmin Guevara
Guevara, Maria
Gudino, Miguel
Hamlin, Olivia
Harrison, Cathryn [Emporia Orthodontics]
Hartman, Maryann [Arnold Group]
Haught, Steven Dr.
Hernandez, Alberto
Hernandez, Alex
Hernandez, Daniel

Hernandez, Danny
Hernandez, Francisco "Kiko" Javier
Hernandez, Roel
Hernandez, Selena
Herrera, Daniel
Herrera, Rebecca
Hills Pet Foods, video surveillance custodian
Hopkins Mfg., records custodian
Hostetler & Associates [re transcripts of interviews]
Ibarra, Victor
Instagram, records custodian
Jenson, Allyson
Jerez, Carlos
Kirby, Eric
KVOE Radio Stations, rep. of
Landaverde, Bryan
Latta, Terrence
Lemus, Angel
Lyon County Road & Bridge records custodian
Magana, Fabiola
Manzano, Jonathan
Marchand, Kim
Matthews, Trevor
Maynez, Adela
McClellan, Kadon
Meyers, John
Milward, Kenneth
Morales-Rose, Carlos
Murillo, Guadalupe
Nonoal, Efigenia
Nonoal, Juan
Nunez, Armando
Padrone, Jennifer
Pahuamba, Melchor
Palomares, Efren
Pecina, Jovan
Pecina, Leticia
Pfantz, Karrie
Price, Alan
Pruitt, Shane
Pruitt, Trinity
Q-Link Wireless, records custodian
Ramirez, Jose
Renteria, Carlos

Renteria, Marilyn
Rethman, Randy
Risley, Carolyn
Roberts Blue Barnett
Robinson, Tony
Rodriguez, Jennifer
Rugei, Diego
Salas, Alonso
Sandoval, Kevin
Sandoval, Wilver
Schuler, Braden
Slater-Figueroa, Jacob
Snapchat, Rec. custodian
Smith, Rebecca L. [EHS Rec. Custodian]
Soto, Diveli
Sprint, Rec. custodian
Stevens, Shea
T-Mobile, Rec. custodian
Trujillo, Tomasa
US Cellular, records custodian
USD 253, records custodian
Velazquez, Adilene
Velazquez, Marcos
Velazquez, Nelsy
Velazquez, Omar
Velez, Lloyd
Verizon, rec. custodian
Viveros, Adolfo
White, Kagen
William Allen White, rep of
Williams, Elijah
Wilson, Taylor
Wise, Alan [Hopkins]
Zapata, Bryan
Zepeda, Jesus