

THE SUPERIOR COURT, STATE OF CALIFORNIA
For the County of Santa Barbara
Lompoc Division

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

BRENDEN MICHAEL TERRY DOB: 11/01/1999

ROBERT JAMES SCOTT DOB: 07/20/1996

Defendants.

DA No. 20-03-458804

Court No. 20CR02763

1ST AMENDED
FELONY COMPLAINT

AB109 INELIGIBLE

The undersigned is informed and believes that:

COUNT 1

On or about March 25, 2020, in the County of Santa Barbara, the crime of MURDER, in violation of **PENAL CODE SECTION 187(a)**, a Felony, was committed by BRENDEN MICHAEL TERRY, who did unlawfully, and with malice aforethought murder SARAH STOFFLE, a human being.

It is further alleged that the above offense is a serious felony within the meaning of **Penal Code Section 1192.7(c)(1)**.

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(1)**.

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM

It is further alleged that in the commission of the foregoing offense, the defendant BRENDEN MICHAEL TERRY, intentionally and personally discharged a firearm, to wit: a sawed off shotgun, and proximately caused great bodily injury, as defined in Penal Code Section 12022.7, and death to a person other than an accomplice, to wit: SARAH STOFFLE, within the meaning of Section 12022.53(d) of the Penal Code; 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).

SPEC ALLEG – FELONY EXCLUDED FROM LOCAL CUSTODY

It is further alleged that the above offense is an offense for which the defendant BRENDEN MICHAEL TERRY, is excluded from a state prison sentence to be served in the county jail pursuant to **Penal Code section 1170(h)**.

“NOTICE: Pursuant to **Penal Code section 1170(f)**, notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC”.

COUNT 2

On or about March 25, 2020, in the County of Santa Barbara, the crime of ACCESSORY AFTER THE FACT-KNOWLEDGE OF CRIME, in violation of PENAL CODE SECTION 32, a Felony, was committed by ROBERT JAMES SCOTT, who did unlawfully, having knowledge that the crime of MURDER, a felony, in violation of Section 187(a) of the Penal Code of the State of California had been committed by BRENDEN MICHAEL TERRY, did harbor, conceal, and aid said person, with the intent that he/she might avoid and escape from arrest, trial, conviction, and punishment for said felony.

SPEC ALLEG - OFFENSE WHILE ON BAIL OR O.R.

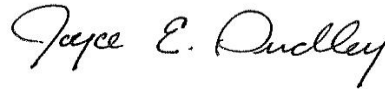
It is further alleged that at the time of the commission of the above offense, the defendant, ROBERT JAMES SCOTT, was released from custody on bail or Own Recognizance in Case Number 20CR00563 within the meaning of Penal Code section 12022.1(b).

* * * * *

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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 2 COUNT(S).

Executed at Lompoc, California, on April 1, 2020.



STEPHANIE D. SCHOENBURG
SENIOR DEPUTY DISTRICT ATTORNEY

Agency: LOPD and LOPD

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>DRIVER'S LICENSE</u>	<u>STS</u>	<u>COURT DATE</u>
Brenden Michael Terry	M	H	511	190	BRO	BRO	Y8155719	IC	04/23/2020
Robert James Scott am	M	W	601	180	BLU	BLO	F7723653	IC	04/01/2020