

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE OF THE STATE OF CALIFORNIA

NO. **22-CR-010803**

v.

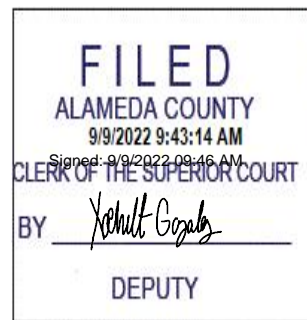
COMPLAINT

DEVIN WILLIAMS

PFN:BNJ959

CEN:2383166

Defendant(s)



The undersigned, being sworn says, on information and belief, that DEVIN WILLIAMS did, in the County of Alameda, on or about **September 07, 2022**, commit a FELONY, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder MARIA TUYET-TRINH TRAN, 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)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged as to the above count that said DEVIN WILLIAMS personally and intentionally discharged a firearm, and caused great bodily injury and death to MARIA TUYET-TRINH TRAN within the meaning of Penal Code sections 12022.7(a) and 12022.53(d). It is further alleged that defendant personally inflicted great bodily injury on another person within the meaning of Penal Code section 12022.7. It is further alleged that said defendant personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c). It is further alleged that said personally used a firearm within the meaning of Penal Code sections 12022.5(a) and 12022.53(b). It is further alleged that probation shall not be granted to said defendant pursuant to Penal Code section 1203.06(a) and 12022.53(g).

SPECIAL ALLEGATION-GREAT BODILY INJURY AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged that the said defendant is ineligible for probation in that in the commission of the above offense the said defendant personally inflicted great bodily injury upon MARIA TUYET-TRINH TRAN, not an accomplice to the above offense, within the meaning of Penal Code Section 1203.075.

VIOLENCE OR BODILY HARM - 4.421(A)(1) AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged, pursuant to California Rules of Court 4.421(a)(1) and Penal Code section 1170(b), that the crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness.

DEFENDANT ARMED OR USED A WEAPON - 4.421(A)(2) AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged, pursuant to California Rules of Court 4.421(a)(2) and Penal Code section 1170(b), that defendant(s) was armed with or used a weapon at the time of the commission of the crime.

SECOND COUNT

The undersigned further deposes and says on information and belief, that said DEVIN WILLIAMS did, in the County of Alameda, on or about **September 07, 2022**, commit a FELONY, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder BENISON BINH TRAN, 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)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged as to the above count that said DEVIN WILLIAMS personally and intentionally discharged a firearm, and caused great bodily injury and death to BENISON BINH TRAN within the meaning of Penal Code sections 12022.7(a) and 12022.53(d). It is further alleged that defendant personally inflicted great bodily injury on another person within the meaning of Penal Code section 12022.7. It is further alleged that said defendant personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c). It is further alleged that said personally used a firearm within the meaning of Penal Code sections 12022.5(a) and 12022.53(b). It is further alleged that probation shall not be granted to said defendant pursuant to Penal Code section 1203.06(a) and 12022.53(g).

VIOLENCE OR BODILY HARM - 4.421(A)(1) AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged, pursuant to California Rules of Court 4.421(a)(1) and Penal Code section 1170(b), that the crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness.

DEFENDANT ARMED OR USED A WEAPON - 4.421(A)(2) AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged, pursuant to California Rules of Court 4.421(a)(2) and Penal Code section 1170(b), that defendant(s) was armed with or used a weapon at the time of the commission of the crime.

SPECIAL ALLEGATION-GREAT BODILY INJURY AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged that the said defendant is ineligible for probation in that in the commission of the above offense the said defendant personally inflicted great bodily injury upon BENISON BINH TRAN , not an accomplice to the above offense, within the meaning of Penal Code Section 1203.075.

SPECIAL CIRCUMSTANCE - MURDER TO AVOID ARREST AS TO DEFENDANT DEVIN WILLIAMS

It is further alleged that the murder of BENISON BINH TRAN was committed by the DEVIN WILLIAMS for the purpose of avoiding and preventing a lawful arrest and perfecting and attempting to perfect an escape from lawful custody, within the meaning of Penal Code Section 190.2(a)(5).

SPECIAL CIRCUMSTANCE - MULTIPLE MURDER AS TO
DEFENDANT DEVIN WILLIAMS

It is further alleged that the defendant has in this proceeding been convicted of more than one offense of murder within the meaning of Penal Code Section 190.2(a)(3).

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

Subscribed and sworn to before me,
Friday, September 9, 2022

This document was filed electronically in
compliance with Penal Code section 959.1



PAUL HORA
ASSISTANT DISTRICT ATTORNEY I
State Bar #166036
Alameda County, California

DUB 22-702909