

REQUESTING AGENCY CASE NO.
P17032034

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FORENSIC SERVICES
RIVERSIDE LABORATORY
7425 Mission Blvd. Riverside, CA 92509
Phone No. (951) 361-5000 FAX No. (951) 361-5010

BFS CASE NUMBER
RI-17-000567-0003

ATTN: Rick Cobb
Riverside Police Dept. - Detective Bureau
10540 Magnolia Ave, Ste. B
Riverside, CA 92505

COPIES:

PHYSICAL EVIDENCE EXAMINATION REPORT

SUSPECT: MARCELINO GARCIA

OFFENSE: ATTEMPTED HOMICIDE

VICTIM: OFFICERS ESPINOZA AND CARMONA

OFFENSE DATE: 02/20/2017

*I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.
Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice Laboratory is accredited by the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB).*

SUMMARY/RESULTS

The expended cartridge case (item SL05) was fired by the Smith & Wesson pistol (item SL02).

The expended bullet (item A07) may have been fired by the Smith & Wesson pistol.

The live cartridge (item SL03) has a light firing pin strike, possibly from the Smith & Wesson pistol.

Assuming the remaining firearms (see report RI-17-000567-02, items CC01 and RE01) are the only other two which could have generated any other components, then the Springfield (item CC01) fired MM01, MM03, and MM19 and the Glock (item RE01) fired MM04, MM08, and MM11.

EVIDENCE

The following is a partial list of evidence submitted to the Laboratory by Anzelde of the Riverside Police Department on 03/01/2017:

Item	Description
SL02	Pistol, 9mm Luger caliber, Smith & Wesson, SN HSU5636, and magazine
SL03	Cartridge, 9mm Luger
SL05	Expended cartridge case
MM01	Expended cartridge case
MM03	Expended cartridge case
MM04	Expended cartridge case
MM08	Expended cartridge case
MM11	Two expended cartridge cases
MM19	Expended cartridge case
A07	Expended bullet

The following laboratory created items were transferred directly to the undersigned on 03/06/2017:

Item	Description
TFSL02	Test fired components from Pistol, 9mm Luger caliber, Smith & Wesson, SN HSU5636
TFCC01	Test fired components from Pistol, 45 Auto caliber, Springfield, SN NM211076
TFRE01	Test fired components from Pistol, 40 S&W caliber, Glock, SN WDR080

The following evidence was submitted to the Laboratory by Cobb of the Riverside Police Department on 03/29/2017:

Item	Description
MM63	Copper fragment

EXAMINATION

Item SL02 was previously analyzed. See report RI-17-000567-02. Additional test fired components were generated for comparison purposes (TFSLO2A, TFSLO2B, TFSLO2C, and TFSLO2D). Additionally, the barrel of this pistol was cleaned to aid the comparison process.

Item SL03 is a 9mm Luger cartridge headstamped 'R P' (Remington). There is a light firing pin strike on the primer with possible individual features which match a test fired cartridge case from the Smith & Wesson pistol (item SL02). Because the individuality of the matching features may be in question due to the method of manufacture of the firing pin, I cannot absolutely conclude the light firing pin strike was from the Smith & Wesson.

Item SL05 is an expended 9mm Luger cartridge case marked the same as item SL03. I compared it to a test fired cartridge case from the Smith & Wesson pistol. Based on individual matching features, I concluded it was fired by the Smith & Wesson.

Items MM01, MM03, and MM19 are all expended 45 auto cartridge cases. A cursory examination indicates they all belong to the same class. Assuming the remaining two pistols submitted in this case (40 S&W caliber and 45 Auto caliber) are the only other two which generated expended components, then the 45 Auto Springfield (item CC01 – see report RI-17-000567-02) fired these cartridge cases.

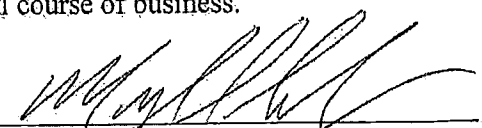
Items MM04, MM08, and MM11 are all expended 40 S&W cartridge cases. A cursory examination indicates they all belong to the same class. Assuming the remaining two pistols submitted in this case (40 S&W caliber and 45 Auto caliber) are the only other two which generated expended components, then the 40 S&W Glock (item RE01 – see report RI-17-000567-02) fired these cartridge cases.

Item MM63 is a portion of an expended bullet jacket. I did not find sufficient markings for comparison purposes. The fragment is consistent with having been shot from a polygonally rifled barrel.

Item A07 is an expended nominal 38 bullet. Nominal 38 includes 38 special, 357 magnum, 9mm Luger, as well as others. The bullet shape and design are consistent with 9mm Luger and appears to be the same nose design as the bullet on the item SL03 cartridge. I microscopically compared this bullet to several different test fired bullets from the Smith & Wesson. Although A07 has the same land and groove widths, I could not find corresponding individual features. Based on the condition of the barrel of the Smith & Wesson as received, it is possible the lack of individual correspondence may be due to rust damage from firefighting efforts. A list of firearms with the same caliber and land/groove widths was not generated but is available upon request.

DISPOSITION

All above items, including additional laboratory generated items (TFSLO2A, TFSLO2B, TFSLO2C, and TFSLO2D) will be returned to the appropriate agency during the normal course of business.

EXAMINED BY: 

Date of Report: May 2, 2017

Mark Traugher
Senior Criminalist

Technical review by: R7 Date: 5/5/17

Administrative review by: W Date: 5-10-17
MST : mst

RIVERSIDE POLICE DEPT - Restricted Information
Public Records Act Request
JPEDROZA 9/18/2019 2:34 PM Unauthorized Release PROHIBITED

RELATED BFS CASE #

State of California
Department of Justice
Bureau of Forensic Services

BFS CASE #

RI-17-000567

Physical Evidence Submission Form
(Instructions for use of form located on reverse side.)

INFORMATION AND REPORT SECURITY ROUTINE AGENCY ONLY AGENT ONLY

SUBMITTING AGENCY: **RIVERSIDE PD** AGENCY CASE NO: **P17-032034**

COUNTY OF PROSECUTION: **RIVERSIDE** RELATED AGENCIES/CASE NUMBER(S):

OFFENSE(S): **664-187 PC/OIS** DATE OF INCIDENT: **2-20-17** DATE NEEDED: **ASAP** REASON: **OFFICER WEAPONS**

INVESTIGATING OFFICER: **RICK COBB** PHONE: [REDACTED] FAX: [REDACTED]

INVESTIGATING OFFICER - EMAIL ADDRESS: **RICKCOBB@RIVERSIDECA.GOV**

S, V, OTHER OFFICER	SUBJECTS			DATE OF BIRTH	CL# (LATENTS AND DNA)
	Last name	First Name	M.I.		
S	GARCIA	MARCELINO	A	4-13-77	
V	OFFICER CARMONA	CHRISTOPHER			
V	OFFICER ESPINOZA	RAMON			

EVIDENCE SUBMITTED

LINE	ITEM NUMBER	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE
1	SLO2	S&W 9mm PISTOL SER# HSU5636	COMPARE SLO2
2	SLO3	9mm LUGER CARTRIDGE	TO SLO3/SLO5
3	SLO5	9mm LUGER BEASS CASING	
4	CCO1	SPRINGFIELD 45 SEMI AUTO PISTOL (SERIAL # WM211076)	COMPARE CCO1
5	MM01	WINCHESTER 45 AUTO CASING	TO MM01/MM03/MM09
6	MM03	WINCHESTER 45 AUTO CASING	
7	MM19	WINCHESTER 45 AUTO CASING	
8	RE01	GLOCK MODEL 22 40 CAL PISTOL (SERIAL # W0R080)	COMPARE RE01 TO
9	MM04	WIN 40 S&W CASING	MM04/MM08/MM11

Chain of custody for items listed above

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
1-9	[Signature] #11020 RPD	BFS Riv Henderson	3-1-17

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES
BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS

RELATED BFS CASE #

State of California
Department of Justice
Bureau of Forensic Services

BFS CASE #

47-00561

Physical Evidence Submission Form
(Instructions for use of form located on reverse side.)

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SUBMITTING AGENCY: RIVERSIDE PD AGENCY CASE NO: P17-032034

COUNTY OF PROSECUTION: RIVERSIDE RELATED AGENCIES/CASE NUMBER(S):

OFFENSE(S): 644/187 PC / OIS DATE OF INCIDENT: 2-20-17 DATE NEEDED: ASAP REASON: OFFICER WEAPONS

INVESTIGATING OFFICER: RICK COBB PHONE: [REDACTED] FAX:

INVESTIGATING OFFICER - EMAIL ADDRESS: RICCOBB@RIVERSIDEPD.CA.GOV

S.V. OTHER OFFICER	LAST NAME	FIRST NAME	MI	DATE OF BIRTH	CHI# (LATENTS AND DNA)
<u>S</u>	<u>GARCIA</u>	<u>MARCELLINO</u>	<u>A</u>	<u>4-13-77</u>	[REDACTED]
<u>V</u>	<u>OFFICER CARMONA</u>	<u>CHRISTOPHER</u>			
<u>V</u>	<u>OFFICER ESPINOZA</u>	<u>RAMON</u>			

EVIDENCE SUBMITTED

LINE	ITEM NUMBER	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE
<u>10</u>	<u>MM08</u>	<u>WIN 40 S&W CASING</u>	
<u>11</u>	<u>MM11</u>	<u>WIN 40 S&W CASING</u>	
<u>12</u>	<u>A-07</u>	<u>PROJECTILE FROM BACK OF MARCELLINO GARCIA</u>	<u>COMPARE A-07</u>
<u>13</u>	<u>RC01-B</u>	<u>6 ROUNDS MAGAZINE 40 CAL Amm</u>	<u>TO SLO 1</u>
<u>14</u>	<u>RC01-B</u>	<u>45 CAL MAGAZINE Amm</u>	<u>TO SLO 2</u>

Chain of custody for items listed above

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
<u>10-14</u>	<u>[Signature] #1006 RPD</u>	<u>Off. Riv. [Signature]</u>	<u>3-1-17</u>

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES
BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS

RELATED BFS CASE #

State of California
Department of Justice
Bureau of Forensic Services

BFS CASE #

R1-17-0567

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INFORMATION AND REPORT SECURITY ROUTINE AGENCY ONLY AGENT ONLY

SUBMITTING AGENCY: RIVERSIDE PD AGENCY CASE NO: P17-032034

COUNTY OF PROSECUTION: RIVERSIDE RELATED AGENCIES/CASE NUMBER(S):

OFFENSE(S): 664/187 PC DATE OF INCIDENT: 2-20-17 DATE NEEDED: ASAP REASON: OIS

INVESTIGATING OFFICER: RICK COBB PHONE: [REDACTED] FAX: [REDACTED]

INVESTIGATING OFFICER - EMAIL ADDRESS: RICKCOBB@RIVERSIDECA.GOV

S, V, OTHER OFFICER	SUBJECTS			DATE OF	CHI #
	Last name	First Name	MI	BIRTH	(LATENTS AND DNA)
S	GARCIA	MARCELINO		4-13-77	[REDACTED]
V	OFFICER CARMOLA				
V	OFFICER ESPINOZA				

EVIDENCE SUBMITTED

LINE	ITEM NUMBER	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE
1	MM-63 ✓	COPPER PROJECTILE FRAGMENT	COMPARE TO ITEM SLOZ, SAW HANDGUN, CURRENTLY AT DOJ

Chain of custody for items listed above

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
Line 1	[Signature] 260	C. Freer	3-29-17

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES
BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS