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May 17, 2016

Chief Carlos Rojas
Santa Ana Police Department
60 W. Civic Center Dr.
Santa Ana, CA 92701

Re: Officer Involved Shooting on August 2, 2015
Non-Fatal Incident involving Armondo Antunez
District Attorney Investigations Case # S.A. 15-015
Santa Ana Police Department Case # 15-19816
Orange County Crime Laboratory Case # 15-52249

Dear Chief Rojas,

Please accept this letter in connection with the Orange County District Attorney's Office's (OCDA) investigation and legal conclusion concerning the above-listed incident involving on-duty Santa Ana Police Department Officer Sergio Gutierrez. Armondo Antunez, 24, Santa Ana, survived his injuries. The incident occurred in the City of Santa Ana on August 2, 2015.

Based upon our investigation and a review of all the evidence provided to and obtained by the OCDA, and pursuant to applicable legal principles, it is our legal opinion that the evidence does not support a finding of criminal culpability on the part of Officer Gutierrez, or any other Santa Ana officer involved in this incident. There is sufficient evidence showing that the officer's actions were reasonable and justified under the circumstances when he shot Antunez. Since there is currently a pending criminal case in connection with this incident, the OCDA will not release the more detailed letter regarding this incident until after the criminal case is resolved.

Sincerely,

Ebrahim Baytieh
Assistant District Attorney
Supervising Head of Court – Special Prosecutions Unit
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