

STANISLAUS COUNTY SUPERIOR COURT  
STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,

vs.

ERICK JOHN VOGEL aka ERIC JOHN VOGEL  
(DOB: 3/26/1971)  
(In Custody) Booking No. 1235567

DEFENDANT(S)

COMPLAINT -- CRIMINAL

No. 1401530

MPD 09-33137

State of California )  
County of Stanislaus ) ss.

On April 28, 2009, D. BOSS, District Attorney's Office, complains and alleges, upon information and belief, that said defendant did commit the following crimes in the County of Stanislaus, State of California.

**COUNT I:** On or about April 22, 2009, defendant did commit a felony, MURDER IN THE FIRST DEGREE, violation of Section 187(a) of the California Penal Code, in that the defendant did willfully, unlawfully, and feloniously and with malice aforethought murder KATHERINE MARIE VOELKER, a human being.

**ENHANCEMENT:** It is further alleged that the defendant acted intentionally, deliberately and with premeditation.

**ENHANCEMENT:** During the commission of the above offense, defendant personally used a deadly and dangerous weapon, to wit, a knife, in violation of Section 12022(b) of the California Penal Code.

**ENHANCEMENT:** At the time of the commission of the above offense, defendant had been released on bail and/or own recognizance pending judgment becoming final on an earlier felony offense, to wit, Violation of Section 273.5 of the California Penal Code, pursuant to Penal Code Section 12022.1, in the jurisdiction of the Superior Court, County of Stanislaus, State of California, Action No. 1400056.

**COUNT II:** On or about April 22, 2009, defendant did commit a felony, BURGLARY IN THE FIRST DEGREE, violation of Section 459 of the California Penal Code, in that the defendant did willfully, unlawfully, and feloniously enter the inhabited dwelling at 936 McHenry Avenue, Room 130, Modesto, occupied by KATHERINE MARIE VOELKER and her children, located in the County of Stanislaus, with the intent then and there and therein to commit a felony offense.

**ENHANCEMENT:** At the time of the commission of the above offense, defendant had been released on bail and/or own recognizance pending judgment becoming final on an earlier felony offense, to wit, Violation of Section 273.5 of the California Penal Code, pursuant to Penal Code Section 12022.1, in the jurisdiction of the Superior Court, County of Stanislaus, State of California, Action No. 1400056.

**COUNT III:** On or about April 22, 2009, defendant did commit a misdemeanor, VIOLATE A COURT ORDER, violation of Section 273.6(a) of the California Penal Code, in that the defendant did intentionally, knowingly and unlawfully violate the lawful order of the Superior Court of Stanislaus County, State of California, issued on March 24, 2009, Action No. 1400056.

NAB/db

All of which is contrary to law in such cases made and provided, and against the peace and dignity of the People of the State of California.

Said Complainant therefore prays that a warrant be issued for the arrest of said defendant(s) and that said defendant(s) be dealt with according to law.

I certify under penalty of perjury, at Modesto, California, that the foregoing is true and correct.

Dated: \_\_\_\_\_

\_\_\_\_\_

Complainant