

IN CUSTODY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL DIVISION

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

JOSE PEDRO LOPEZ,
dob 07/29/87, Booking No. 10715373A,
aka JOSE LOPEZ JASSO;

Defendant

CT No. CD225876

DA No. ACR566

COMPLAINT-FELONY

FILED
CLERK OF SUPERIOR COURT
SAN DIEGO COUNTY, CA

2022-05-12 PM 12:30

FILED
RECORDS

INFORMATION

Date: _____

PC296 DNA TEST STATUS SUMMARY

Defendant

LOPEZ, JOSE PEDRO

DNA Testing Requirements

DNA sample required upon conviction

CHARGE SUMMARY

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
1	PC191.5(a) LOPEZ, JOSE PEDRO	Felony	4-6-10	VC23558	+1 Yr
2	VC23153(a) LOPEZ, JOSE PEDRO	Felony	16-2-3	PC12022.7(a) VC23558	+3 Yrs +1 Yr
3	VC23153(b) LOPEZ, JOSE PEDRO	Felony	16-2-3	PC12022.7(a) VC23558	+3 Yrs +1 Yr
4	VC21651(b) LOPEZ, JOSE PEDRO	Misdemeanor	6 Mos\Fine		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

CHARGES

COUNT 1 - GROSS VEHICULAR MANSLAUGHTER WHILE INTOXICATED

On or about February 28, 2010, JOSE PEDRO LOPEZ did unlawfully kill Deputy KEN COLLIER, a human being, without malice aforethought, in the driving of a vehicle in violation of Vehicle Code sections 23140, 23152 and 23153 and the killing was the proximate result of the commission of an unlawful act, driving on the wrong side of the freeway in violation of Vehicle Code Section 21651(b), not amounting to a felony and with gross negligence and the proximate result of the commission of a lawful act that might produce death, in an unlawful manner, and with gross negligence, in violation of PENAL CODE SECTION 191.5(a), a felony pursuant to Penal Code section 191.5(c)(1).

And it is further alleged that on 02/28/2010, the defendant, JOSE PEDRO LOPEZ, while driving a motor vehicle in the commission of the above offense, proximately caused bodily injury or death to more than one victim, to wit: RYAN DEBELLIS, within the meaning of VEHICLE CODE SECTION 23558.

COUNT 2 - DRIVING UNDER THE INFLUENCE CAUSING INJURY

On or about February 28, 2010, JOSE PEDRO LOPEZ did unlawfully, while under the influence of an alcoholic beverage and a drug and under their combined influence, drive a vehicle and in so driving concurrently committed an act forbidden by law, to wit: <VC21651(b)> and neglected any duty imposed, which caused bodily injury to another, in violation of VEHICLE CODE SECTION 23153(a).

And it is further alleged that in the commission and attempted commission of the above offense the defendant, JOSE PEDRO LOPEZ, personally inflicted great bodily injury upon Deputy KEN COLLIER, not an accomplice to the above offense, within the meaning of PENAL CODE SECTION 12022.7(a).

And it is further alleged that on 02/28/2010, the defendant, JOSE PEDRO LOPEZ, while driving a motor vehicle in the commission of the above offense, proximately caused bodily injury or death to more than one victim, to wit: RYAN DEBELLIS, within the meaning of VEHICLE CODE SECTION 23558.

COUNT 3 - DRIVING WITH A MEASURABLE BLOOD ALCOHOL CAUSING INJURY

On or about February 28, 2010, JOSE PEDRO LOPEZ did unlawfully, while having 0.08 percent and more, by weight, of alcohol in his blood drive a vehicle, and in so driving concurrently committed an act forbidden by law, to wit: <VC21651(b)> and neglected any duty imposed, which caused bodily injury to another, in violation of VEHICLE CODE SECTION 23153(b).

And it is further alleged that in the commission and attempted commission of the above offense the defendant, JOSE PEDRO LOPEZ, personally inflicted great bodily injury upon Deputy KEN COLLIER, not an accomplice to the above offense, within the meaning of PENAL CODE SECTION 12022.7(a).

CHARGES (cont'd)

And it is further alleged that on 02/28/2010, the defendant, JOSE PEDRO LOPEZ, while driving a motor vehicle in the commission of the above offense, proximately caused bodily injury or death to more than one victim, to wit: RYAN DEBELLIS, within the meaning of VEHICLE CODE SECTION 23558.

COUNT 4 - DRIVING THE WRONG WAY ON A DIVIDED HIGHWAY

On or about February 28, 2010, JOSE PEDRO LOPEZ did unlawfully drive his vehicle upon a highway not to the right of an intermittent barrier and a dividing section which separates two or more opposing lanes of traffic, in violation of VEHICLE CODE SECTION 21651(b).

NOTICE: Any defendant named on this complaint who is on criminal probation in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the preliminary hearing. Defenses to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

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.

The People reserve the right to amend the accusatory pleading to further allege any and all facts in aggravation in light of *Cunningham v. California* (2007).

Sheriff's records indicate that as of the booking date one or more defendants have not yet provided a DNA sample to the DOJ database. Pursuant to Penal Code Section 296(e), the court shall order collection of DNA from the defendant(s) if advised by the prosecuting attorney that a sample is required but has not been provided by the defendant. Pursuant to Penal Code sections 296/296.1, if not already required from a past conviction, any defendants who have not done so will be required to provide a sample upon conviction of this felony offense.

LIMITATION ON LOCAL CUSTODY CREDITS: Defendant JOSE PEDRO LOPEZ is subject to limited local custody credits pursuant to PENAL CODE SECTIONS 4019(b)(2) and (c)(2).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CD225876, CONSISTS OF 4 COUNTS.

Executed at City of San Diego, County of San Diego, State of California, on March 3, 2010.



COMPLAINANT

INFORMATION

BONNIE M. DUMANIS
District Attorney
County of San Diego
State of California
by:

Date

Deputy District Attorney