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DISTRICT ATTORNEY
2 STATE BAR # 237986
COUNTY OF SAN LUIS OBISPO
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Electronically
Filed

09/06/22

By:
Ramirez, Liliana

8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
9 DEPARTMENT 7

11 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

13 vs.

14 JESUS BARAJASVALDOVINOS
DOB: 09/14/1989 ID NO. D000437027

16 Defendant.

COURT CASE NO. 21F-04073

AMENDED INFORMATION

DA CASE NO. 079-666142

Appearance Date: September 6, 2022

19 The District Attorney of San Luis Obispo County, California, hereby accuses the
20 above named defendant of the following criminal offenses:

21 Count 1

22 On or about June 27, 2021, in the County of San Luis Obispo, State of California, the
23 crime of Kidnapping To Commit Another Crime in violation of PC209(b)(1), a Felony, was
24 committed in that JESUS BARAJASVALDOVINOS did unlawfully kidnap and carry away
25 [REDACTED] to commit rape: to wit: dragging confidential victim off of the Santa Rosa Creek
26 Trail.

27 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
28 1192.7(c).

Count 2

On or about June 27, 2021, in the County of San Luis Obispo, State of California, the crime of Forcible Rape in violation of PC261(a)(2), a Felony, was committed in that JESUS BARAJASVALDOVINOS did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, [REDACTED], not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime.

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: Penal Code 1203.065(a) prohibits the grant of probation or suspension of imposition of sentence for this offense.

Enhancement

PC667.61(a) and (d): Spec Alleg-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, JESUS BARAJASVALDOVINOS, as to count 2 that the following circumstances apply: aggravated kidnap.

Count 3

On or about June 27, 2021, in the County of San Luis Obispo, State of California, the crime of Forcible Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that JESUS BARAJASVALDOVINOS did unlawfully participate in an act of oral copulation with [REDACTED] and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

1 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
2 test for evidence of antibodies to the probable causative agent of Acquired Immune
3 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

4 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
5 section 290. Willful failure to register is a crime.

6 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
7 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

8 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of
9 imposition of sentence for this offense.

10
11 Enhancement

12 PC667.61(a) and (d): Spec Alleg-Sex Crimes - Aggravated Circumstances

13 It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to
14 defendant, JESUS BARAJASVALDOVINOS, as to count 3 that the following
15 circumstances apply: aggravated kidnap.

16 Count 4

17 On or about June 27, 2021, in the County of San Luis Obispo, State of California, the
18 crime of Forcible Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed
19 in that JESUS BARAJASVALDOVINOS did unlawfully participate in an act of oral
20 copulation with [REDACTED] and did accomplish said act against said victim's will by force,
21 violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim
22 and to another.

23 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
24 test for evidence of antibodies to the probable causative agent of Acquired Immune
25 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

26 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
27 section 290. Willful failure to register is a crime.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

3 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of
4 imposition of sentence for this offense.

5
6 Enhancement

7 PC667.61(a) and (d): Spec Alleg-Sex Crimes - Aggravated Circumstances

8 It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to
9 defendant, JESUS BARAJASVALDOVINOS, as to count 4 that the following
10 circumstances apply: aggravated kidnap.

11 Count 5

12 On or about June 27, 2021 at 12:00 AM, in the County of San Luis Obispo, State of
13 California, the crime of Sexual Penetration By Foreign Object in violation of
14 PC289(a)(1)(A), a Felony, was committed in that JESUS BARAJASVALDOVINOS
15 committed an act of sexual penetration against the will of [REDACTED] by means of force,
16 violence, duress, menace and fear of immediate and unlawful bodily injury on [REDACTED]
17 and another person.

18 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
19 section 290. Willful failure to register is a crime.

20 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
21 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
22 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
23 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
24 resulting in a court order.

25 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
26 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

27 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of
28 imposition of sentence for this offense.

Enhancement

PC667.61(a) and (d): Spec Alleg-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, JESUS BARAJASVALDOVINOS, as to count 5 that the following circumstances apply: aggravated kidnap.

Count 6

On or about June 27, 2021, in the County of San Luis Obispo, State of California, the crime of Forcible Rape in violation of PC261(a)(2), a Felony, was committed in that JESUS BARAJASVALDOVINOS did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Confidential Victim, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another: to wit: next rape of confidential victim near the Santa Rosa Creek Trail.

NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

NOTICE is hereby given that adjudication as a ward of the Court for this offense and a disposition to the California Youth Authority will require you to register pursuant to Section 290 of the Penal Code. Willful failure to register is a felony.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime.

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)

It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the following factors in aggravation listed in California Rule of Court 4.421 may apply to the defendant(s) or to conduct of the defendant(s):

- 1 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily
2 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.
- 3 4.421(a)(2) The defendant was armed with or used a weapon at the time of the
4 commission of the crime.
- 5 4.421(a)(3) The victim was particularly vulnerable.
- 6 4.421(a)(4) The defendant induced others to participate in the commission of the crime
7 and occupied a position of leadership and dominance of other participants in its
8 commission.
- 9 4.421(a)(5) The defendant induced a minor to commit and assist in the commission of the
10 crime.
- 11 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded
12 witnesses from testifying, suborned perjury, and in any other way illegally interfered with
13 the judicial process.
- 14 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences
15 can be imposed but for which concurrent sentences shall be imposed.
- 16 4.421(a)(8) The manner in which the crime was carried out indicates planning,
17 sophistication, and professionalism.
- 18 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary
19 value.
- 20 4.421(a)(10) The crime involved a large quantity of contraband.
- 21 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit
22 the offense.
- 23 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code
24 and no hate crime enhancements under section 422.75 of the Penal Code shall be
25 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal
26 Code.
- 27 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
28 to society.

1 4.421(b)(2) The defendant's Enhancement convictions as an adult and sustained petitions
2 in juvenile delinquency proceedings are numerous and of increasing seriousness.

3 4.421(b)(3) The defendant has served a Enhancement term in prison and county jail under
4 section 1170(h).

5 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
6 community supervision, and parole when the crime was committed.

7 4.421(b)(5) The defendant's Enhancement performance on probation, mandatory
8 supervision, post release community supervision, and parole was unsatisfactory.

1 Contrary to the form, force and effect of that statute in such cases made and
2 provided and against the peace and dignity of the people of the State of California.

3 Dated: September 1, 2022

4 DAN DOW
5 DISTRICT ATTORNEY

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8 By:
9 DANIELLE E BAKER
10 DEPUTY DISTRICT ATTORNEY
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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC209(b)(1)	LIFE State Prison	Jesus Barajasvaldovinos		
2	PC261(a)(2) PC667.61(a) and (d)	3-6-8* State Prison	Jesus Barajasvaldovinos		
3	PC287(c)(2)(A) PC667.61(a) and (d)	3-6-8 State Prison	Jesus Barajasvaldovinos		
4	PC287(c)(2)(A) PC667.61(a) and (d)	3-6-8 State Prison	Jesus Barajasvaldovinos		
5	PC289(a)(1)(A) PC667.61(a) and (d)	3-6-8 State Prison	Jesus Barajasvaldovinos		
6	PC261(a)(2)	3-6-8* State Prison	Jesus Barajasvaldovinos		