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San Luis Obispo Superior Court
By:Gavin, Glenna

1 DAN DOW
DISTRICT ATTORNEY
2 STATE BAR # 237986
COUNTY OF SAN LUIS OBISPO
3 COURTHOUSE ANNEX, 4TH FLOOR
SAN LUIS OBISPO, CA 93408
4 TELEPHONE: (805) 781-5800

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
DEPARTMENT 1

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11 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

COURT CASE NO. 22F-00739

AMENDED INFORMATION

12

13 vs.

14 **RICHARD QUNTAN GARCIA**
DOB: 12/14/1991
15 ID NO. D000358828
CII: A30778398
16 AKA RICHARD QUIN TAN GARCIA,
RICHARD GARCIA

DA CASE NO. 079-673291

17

Defendant.

Appearance Date: April 25, 2023

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

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Count 1

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On or about November 24, 2021, in the County of San Luis Obispo, State of California, the
25 crime of Attempted Second Degree Robbery in violation of PC211, a Felony, was
26 committed in that RICHARD QUNTAN GARCIA did unlawfully, and by means of force and
27 fear attempt to take personal property from the person, possession, and immediate
28 presence of David P..

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

3 Enhancement

4 PC12022.53(b): Spec Alleg-Personal Use Of A Firearm

5 It is further alleged as to Count 1 that said defendant, RICHARD QUNTAN GARCIA
6 personally used a firearm, a handgun, within the meaning of Penal Code Section
7 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal
8 Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section
9 667.5(c)(8).

10 Count 2

11 On or about November 25, 2021, in the County of San Luis Obispo, State of California, the
12 crime of Second Degree Robbery in violation of PC211, a Felony, was committed in that
13 RICHARD QUNTAN GARCIA did unlawfully, and by means of force and fear take personal
14 property from the person, possession, and immediate presence of Matthew S..

15 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

16 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
17 1192.7(c).

18 Enhancement

19 PC12022.53(b): Spec Alleg-Personal Use Of A Firearm

20 It is further alleged as to Count 2 that said defendant, RICHARD QUNTAN GARCIA
21 personally used a firearm, a handgun, within the meaning of Penal Code Section
22 12022.53(b) also causing the above offense to become a serious felony pursuant to Penal
23 Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section
24 667.5(c)(8).

25 Enhancement

26 PC12022.53(c): Spec Alleg-Personal And Intentional Discharge Of A Firearm

1 It is further alleged as to Count 2 that said defendant, RICHARD QUNTAN GARCIA
2 personally and intentionally discharged a firearm, a handgun, within the meaning of Penal
3 Code Section 12022.53(c) also causing the above offense to become a serious felony
4 pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of
5 Penal Code section 667.5(c)(8).

6 Count 3

7 On or about November 25, 2021, in the County of San Luis Obispo, State of California, the
8 crime of Evading An Officer, Willful Disregard in violation of VC2800.2(a), a Felony, was
9 committed in that RICHARD QUNTAN GARCIA did willfully and unlawfully, while operating
10 a motor vehicle and with the intent to evade, flee and otherwise attempt to elude a
11 pursuing peace officer's motor vehicle while all of the following conditions existed: the
12 peace officer's motor vehicle exhibited at least one lighted red lamp visible from the front
13 and the defendant saw and reasonably should have seen the lamp, the peace officer's
14 motor vehicle was sounding its siren as was reasonably necessary, the peace officer's
15 motor vehicle was distinctively marked, the peace officer's motor vehicle was operated by
16 a peace officer. It is further alleged that the defendant drove with a willful wanton
17 disregard for the safety of persons and property.

18 Count 4

19 On or about November 28, 2021, in the County of San Luis Obispo, State of California, the
20 crime of Carjacking in violation of PC215(a), a Felony, was committed in that RICHARD
21 QUNTAN GARCIA did unlawfully take a motor vehicle in the possession of Maria A. from
22 her person or immediate presence or from the person or immediate presence of a
23 passenger of said motor vehicle, against the will and with the intent to permanently
24 or temporarily deprive the person in possession of the motor vehicle of the possession and
25 accomplished by means of force or fear.

26 NOTICE: The above offense is a violent felony within the meaning of Penal Code
27 667.5(c)(17).

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c)(27).

3 Count 5

4 On or about November 29, 2021, in the County of San Luis Obispo, State of California, the
5 crime of Resist, Obstruct, Delay Of Peace Officer in violation of PC148(a)(1), a
6 Misdemeanor, was committed in that RICHARD QUNTAN GARCIA did willfully and
7 unlawfully resist, delay or obstruct Reid Goeckner who was then and there a peace officer
8 attempting to or discharging the duty of his office or employment.

9 Count 6

10 On or about November 29, 2021, in the County of San Luis Obispo, State of California, the
11 crime of Resist, Obstruct, Delay Of Peace Officer in violation of PC148(a)(1), a
12 Misdemeanor, was committed in that RICHARD QUNTAN GARCIA did willfully and
13 unlawfully resist, delay or obstruct Stephen Lugo who was then and there a peace officer
14 attempting to or discharging the duty of his office or employment.

15 Count 7

16 On or about November 29, 2021, in the County of San Luis Obispo, State of California, the
17 crime of Resist, Obstruct, Delay Of Peace Officer in violation of PC148(a)(1), a
18 Misdemeanor, was committed in that RICHARD QUNTAN GARCIA did willfully and
19 unlawfully resist, delay or obstruct Michael Rickerd who was then and there a peace officer
20 attempting to or discharging the duty of his office or employment.

21 Count 8

22 On or about November 29, 2021, in the County of San Luis Obispo, State of California, the
23 crime of Possession Of A Controlled Substance in violation of HS11377(a), a
24 Misdemeanor, was committed in that RICHARD QUNTAN GARCIA did unlawfully possess
25 a controlled substance, to wit, Methamphetamine.
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Prior

It is further alleged as to count 1 pursuant to Penal Code section 667(a)(1) that the defendant, RICHARD QUNTAN GARCIA, has suffered the following prior conviction(s) of a serious felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC245(b) w/ PC 186.22(b)(1) allegation	F	06-17-2011	08-30-2012	10-02-2012	F000475374	CASC San Luis Obispo

Prior

It is further alleged as to count 1 pursuant to Penal Code section 667(a)(1) that the defendant, RICHARD QUNTAN GARCIA, has suffered the following prior conviction(s) of a serious felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC245(b)	F	06-17-2011	08-30-2012	10-02-2012	F000475374	CASC San Luis Obispo

Prior

It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c), that defendant RICHARD QUNTAN GARCIA has suffered the following prior conviction of a serious and/or violent felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC245(b) w/ PC 186.22(b)(1) allegation	F	06-17-2011	08-30-2012	10-02-2012	F000475374	CASC San Luis Obispo

Prior

It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c), that defendant RICHARD QUNTAN GARCIA has suffered the following prior conviction of a serious and/or violent felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC245(b)	F	06-17-2011	08-30-2012	10-02-2012	F000475374	CASC San Luis Obispo

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

4 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily
5 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

6 4.421(a)(2) The defendant was armed with or used a weapon at the time of the
7 commission of the crime.

8 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
9 to society.

10 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
11 juvenile delinquency proceedings are numerous and of increasing seriousness.

12 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
13 1170(h).

14 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
15 community supervision, and parole when the crime was committed.

16 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
17 release community supervision, and parole was unsatisfactory.

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

3 I declare that an investigation has been conducted to determine if said Defendant(s)
4 did commit the stated crime, which reports are attached hereto and incorporated herein by
5 reference, and that the facts therein show probable cause that the said Defendant(s) did
6 commit the crime. Your declarant requests the issuance of a Warrant of Arrest either if
7 said Defendant(s) do not appear voluntarily in response to an appearance letter, or if no
8 appearance letter was issued.

9 **Discovery Request:** Pursuant to Penal Code Section 1054.5(b), the People are
10 hereby informally requesting that defense counsel provide discovery to the people as
11 required by Penal Code Section 1054.3.

12 On this day April 24, 2023, in the County of San Luis Obispo, I certify and declare
13 under penalty of perjury that the foregoing is true and correct.

14 Dated: April 24, 2023

15 DAN DOW
16 DISTRICT ATTORNEY

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20 SCOTT A HUNTER
21 DEPUTY DISTRICT ATTORNEY

22 Upon review of the reports attached and incorporated herein by reference, I find sufficient
23 probable cause to warrant the defendant(s) continued detention.

24 Dated: _____
25 _____
26 Judge of the Superior Court

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SUMMARY PAGE					
Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC211 PC12022.53(b)		Richard Quntan Garcia		
2	PC211 PC12022.53(b), PC12022.53(c)		Richard Quntan Garcia		
3	VC2800.2(a)		Richard Quntan Garcia		
4	PC215(a)		Richard Quntan Garcia		
5	PC148(a)(1)		Richard Quntan Garcia		
6	PC148(a)(1)		Richard Quntan Garcia		
7	PC148(a)(1)		Richard Quntan Garcia		
8	HS11377(a)		Richard Quntan Garcia		
	PC667(a)(1)		Richard Quntan Garcia		
	PC667(a)(1)		Richard Quntan Garcia		
	PC1170.12		Richard Quntan Garcia		
	PC1170.12		Richard Quntan Garcia		