

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Electronically
FILED:07/15/2022
San Luis Obispo Superior Court
By:Garza, Stephanie

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
DEPARTMENT 8

THE PEOPLE OF THE STATE OF
CALIFORNIA
Plaintiff,

vs.

ANDREW WILLIAM GILBERTSON
DOB: 10/31/1974 ID NO. D000361123
AKA BRIAN PATRICK GILBERTSON,
ANDREW W GILBERTSON, ANDREW
GILBERTSON, ANDREW WILLIAM
GILBERTSON, ANDREW DUFFY
GILBERTSON

Defendant.

COURT CASE NO. 21F-05777
AMENDED INFORMATION

DA CASE NO. 079-668453

Appearance Date: July 15, 2022

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

Count 1

On or about September 1, 2021, in the County of San Luis Obispo, State of California, the
crime of Attempted Second Degree Robbery in violation of PC211, a Felony, was
committed in that ANDREW WILLIAM GILBERTSON did unlawfully, and by means of
force or fear attempt to take personal property from the person, possession, or immediate
presence of [REDACTED], an employee of Chase Bank.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c)(39).

3 Prior

4 It is further alleged, pursuant to Penal Code section 667(a), that defendant ANDREW
5 WILLIAM GILBERTSON has suffered the following prior conviction of a serious felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC211	F	07-24-2013	03-27-2015	06-08-2015	F492773001	CASC San Luis Obispo

6 Prior

7 It is further alleged, pursuant to Penal Code section 667(a), that defendant ANDREW
8 WILLIAM GILBERTSON has suffered the following prior conviction of a serious felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC451(d)	F	04-23-2021	05-12-2021	06-10-2021	21F-02691	CASC San Luis Obispo

9 Prior

10 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code
11 sections 1170.12(b) and (c), that defendant ANDREW WILLIAM GILBERTSON has
12 suffered the following prior conviction of a serious and/or violent felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC211	F	07-24-2013	03-27-2015	06-08-2015	F492773001	CASC San Luis Obispo

13 Prior

14 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code
15 sections 1170.12(b) and (c), that defendant ANDREW WILLIAM GILBERTSON has
16 suffered the following prior conviction of a serious and/or violent felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC451(d)	F	04-23-2021	05-12-2021	06-10-2021	21F-02691	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:

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

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

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

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

13 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
14 1170(h).

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

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

19
20
21
22
23
24
25
26
27
28

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: July 11, 2022

4 DAN DOW
5 DISTRICT ATTORNEY

6
7 

8 By: _____
9 KRISTIN L BARNARD
10 DEPUTY DISTRICT ATTORNEY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUMMARY PAGE					
Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC211	16-2-3 State Prison	Andrew William Gilbertson		
	PC667(a)	+5 Yrs	Andrew William Gilbertson		
	PC667(a)	+5 Yrs	Andrew William Gilbertson		
	PC1170.12	Strike Prior	Andrew William Gilbertson		
	PC1170.12	Strike Prior	Andrew William Gilbertson		