

ELECTRONICALLY
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SAN LUIS OBISPO SUPERIOR COURT
By: T. LaBrecque,
Deputy Clerk

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

<input type="checkbox"/> DV Case
<input type="checkbox"/> BOOKING REQ

5
6 *In CUSTODY*

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

10
11 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

COURT CASE NO. 22F-07565

COMPLAINT

12
13 vs.

14 **JENNIFER MAE NIEMANN**
DOB: 08/24/1992
15 ID NO. D000454256
CII: A40696796
16 AKA JENNIFER NIEMANN

DA CASE NO. 079-682909

17
18 Defendant.

Appearance Date:

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

23 Count 1

24 On or about May 4, 2022, in the County of San Luis Obispo, State of California, the crime
25 of Child Abuse in violation of Penal Code section 273a(a), a Felony, was committed in that
26 JENNIFER MAE NIEMANN did willfully and unlawfully, under circumstances likely to
27 produce great bodily harm and death, injure, cause, and permit a child, M.N., to suffer and
28 to be inflicted with unjustifiable physical pain and mental suffering, and, having the care

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COMPLAINT
DA CASE NO. 079-682909

1 and custody of said child, injure, cause, and permit the person and health of said child to
2 be injured and did willfully cause and permit said child to be placed in such situation that
3 his person and health were endangered.

4
5 It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the
6 following factors in aggravation listed in California Rule of Court 4.421 may apply to the
7 defendant(s) or to conduct of the defendant(s):

8 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily
9 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

10 4.421(a)(2) The defendant was armed with or used a weapon at the time of the
11 commission of the crime.

12 4.421(a)(3) The victim was particularly vulnerable.

13 4.421(a)(4) The defendant induced others to participate in the commission of the crime
14 and occupied a position of leadership and dominance of other participants in its
15 commission.

16 4.421(a)(5) The defendant induced a minor to commit and assist in the commission of the
17 crime.

18 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded
19 witnesses from testifying, suborned perjury, and in any other way illegally interfered with
20 the judicial process.

21 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences
22 can be imposed but for which concurrent sentences shall be imposed.

23 4.421(a)(8) The manner in which the crime was carried out indicates planning,
24 sophistication, and professionalism.

25 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary
26 value.

27 4.421(a)(10) The crime involved a large quantity of contraband.

1 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit
2 the offense.

3 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code
4 and no hate crime enhancements under section 422.75 of the Penal Code shall be
5 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal
6 Code.

7 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
8 to society.

9 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
10 juvenile delinquency proceedings are numerous and of increasing seriousness.

11 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
12 1170(h).

13 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
14 community supervision, and parole when the crime was committed.

15 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
16 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 November 9, 2022, in the County of San Luis Obispo, I certify and
13 declare under penalty of perjury that the foregoing is true and correct.

14 Dated: November 9, 2022

15 DAN DOW
16 DISTRICT ATTORNEY

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19 By: 
20 ERIC DOBROTH
21 ASSISTANT 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	PC273a(a)		Jennifer Mae Niemann		