

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

- Court copy
- DA copy
- Probation copy
- Defendant copy
- Restitution
- Sub Fel/Iss Misd

**FILED**

**MAR -6 2019**

SAN LUIS OBISPO SUPERIOR COURT  
BY C. Perez  
C. Perez, Deputy Clerk

# IN CUSTODY

8 SUPERIOR COURT OF CALIFORNIA  
9 COUNTY OF SAN LUIS OBISPO  
10 DEPARTMENT 3

11 THE PEOPLE OF THE STATE OF  
12 CALIFORNIA  
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Plaintiff,

vs.

**DANIEL RAUL RODRIGUEZ JOHNSON**  
DOB: 04/23/1987 ID NO. D000294651  
AKA DANIEL RAUL JOHNSON

Defendant.

COURT CASE NO.

COMPLAINT

19F-01710

DA CASE NO. 079-637484

Appearance Date:

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 March 2, 2019, in the County of San Luis Obispo, State of California, the crime of Murder in violation of PC187(a), a Felony, was committed in that DANIEL RAUL RODRIGUEZ JOHNSON did unlawfully and with malice aforethought murder C.B., a human being.

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Enhancement

PC12022(b)(1): Spec Alleg-Use Of Deadly Weapon

It is further alleged as to count 1 that in the commission and attempted commission of the above offense, the said defendant, DANIEL RAUL RODRIGUEZ JOHNSON, personally used a deadly and dangerous weapon, to wit, a knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

Count 2

On or about March 2, 2019, in the County of San Luis Obispo, State of California, the crime of Murder in violation of Penal Code Section 187(a), a Felony, was committed in that DANIEL RAUL RODRIGUEZ JOHNSON did unlawfully, and with malice aforethought murder a human fetus.

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)

Allegation of Special Circumstance (PC 190.2)

It is further alleged as to count 1 and 2 that the Defendant in this proceeding committed more than one offense of murder in the first or second degree within the meaning of Penal Code Section 190.2(a)(3).

Count 3

On or about March 3, 2019, in the County of San Luis Obispo, State of California, the crime of Carjacking in violation of PC215(a), a Felony, was committed in that DANIEL RAUL RODRIGUEZ JOHNSON did unlawfully take a motor vehicle in the possession of Officer M. Egan from his person and immediate presence, against the will and with the

1 intent to permanently and temporarily deprive the person in possession of the motor  
2 vehicle of the possession and accomplished by means of force and fear.

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

4 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
5 1192.7(c).

6  
7 Count 4

8 On or about March 3, 2019, in the County of San Luis Obispo, State of California, the  
9 crime of Evading a Peace Officer in violation of California Vehicle Code Section 2800.2(a),  
10 a Felony, was committed in that DANIEL RAUL RODRIGUEZ JOHNSON did willfully and  
11 unlawfully, while operating a motor vehicle and with the intent to evade, flee and otherwise  
12 attempt to elude a pursuing peace officer's motor vehicle while all of the following  
13 conditions existed: the peace officer's motor vehicle exhibited at least one lighted red lamp  
14 visible from the front and the defendant saw and reasonably should have seen the lamp,  
15 the peace officer's motor vehicle was sounding its siren as was reasonably necessary, the  
16 peace officer's motor vehicle was distinctively marked, the peace officer's motor vehicle  
17 was operated by a peace officer. It is further alleged that the defendant drove with a willful  
18 wanton disregard for the safety of persons and property.

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20 Count 5

21 On or about March 3, 2019, in the County of San Luis Obispo, State of California, the  
22 crime of Unlawful Driving Or Taking Of A Special Vehicle in violation of VC10851(b), a  
23 Felony, was committed in that DANIEL RAUL RODRIGUEZ JOHNSON did unlawfully  
24 drive and take a certain vehicle, to wit, California Highway Patrol Vehicle, then and there  
25 the personal property of California Highway Patrol without the consent of and with intent,  
26 either permanently or temporarily, to deprive the said owner of title to and possession of  
27 said vehicle, in violation of subdivision (b), subsection (2) a distinctively marked vehicle of  
28 a law enforcement agency.

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Count 6

On or about March 3, 2019, in the County of San Luis Obispo, State of California, the crime of Resisting Executive Officer in violation of PC69, a Felony, was committed in that DANIEL RAUL RODRIGUEZ JOHNSON did unlawfully attempt by means of threats and violence to deter and prevent California Highway Patrol Officer Egan , who was then and there an executive officer, from performing a duty imposed upon such officer by law, and did knowingly resist by the use of force and violence said executive officer in the performance of his duty.

Count 7

On or about March 3, 2019, in the County of San Luis Obispo, State of California, the crime of Exhibiting A Deadly Weapon in violation of PC417(a)(1), a Misdemeanor, was committed in that DANIEL RAUL RODRIGUEZ JOHNSON did unlawfully, in the presence of another, draw and exhibit a deadly weapon in a rude, angry and threatening manner and did use a deadly weapon in a fight and quarrel.

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.

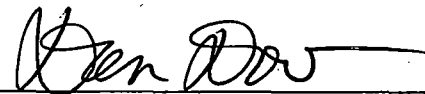
3 I declare that an investigation has been conducted to determine if said Defendant(s)  
4 did commit the stated crime, which reports are attached hereto and incorporated herein by  
5 reference, and that the facts therein show probable cause that the said Defendant(s) did  
6 commit the crime. Your 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 March 6, 2019, 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: March 6, 2019

15 DAN DOW  
16 DISTRICT ATTORNEY

17 By:   
18 *for* ERIC DOBROTH  
19 ASSISTANT DISTRICT ATTORNEY

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

22  
23 Dated: \_\_\_\_\_  
24 Judge of the Superior Court

SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC187(a) PC12022(b)(1)	LIFE State Prison	Daniel Raul Rodriguez Johnson		
2	PC187(a) PC190.2(a)(3)	Check Code State Prison	Daniel Raul Rodriguez Johnson		
3	PC215(a)	3-5-9 State Prison	Daniel Raul Rodriguez Johnson		
4	VC2800.2(a)	16-2-3 State Prison	Daniel Raul Rodriguez Johnson		
5	VC10851(b)	2-3-4 County Jail	Daniel Raul Rodriguez Johnson		
6	PC69	16-2-3 County Jail	Daniel Raul Rodriguez Johnson		
7	PC417(a)(1)	6 Mo.	Daniel Raul Rodriguez Johnson		