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DISTRICT ATTORNEY
2 STATE BAR #237986
COUNTY OF SAN LUIS OBISPO
3 COURTHOUSE ANNEX, 4TH FLOOR
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8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
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10
11 THE PEOPLE OF THE STATE OF CALIFORNIA

12 Plaintiff,

13 vs.

14 **GARY LEE ROBERTS, II**
DOB: 12/03/1987
15 ID NO. D000298642
[REDACTED]

16 Defendant.
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COURT CASE NO. 25F-07907
INFORMATION

DA CASE NO. 079-718687

Appearance Date: March 2, 2026

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 October 9, 2025, in the County of San Luis Obispo, State of California, the
23 crime of First Degree Residential Burglary in violation of PC459, a Felony, was committed
24 in that GARY LEE ROBERTS II did enter an inhabited dwelling house and trailer coach
25 and inhabited portion of a building occupied by S.M., with the intent to commit larceny and
26 any felony.
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1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c). It is further alleged that the above offense is a violation of Penal Code Section
3 462(a).

4 Count 2

5 On or about October 7, 2025, in the County of San Luis Obispo, State of California, the
6 crime of Attempted First Degree Residential Burglary in violation of PC664/PC459, a
7 Felony, was committed in that GARY LEE ROBERTS II did attempt to enter an inhabited
8 dwelling house and trailer coach and inhabited portion of a building occupied by S.M., with
9 the intent to commit larceny and any felony.

10 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
11 1192.7(c). It is further alleged that the above offense is a violation of Penal Code Section
12 462(a).

13 Prior

14 It is further alleged as to count 1 and 2 pursuant to Penal Code section 667(a)(1) that the
15 defendant, GARY LEE ROBERTS II, has suffered the following prior conviction(s) of a
16 serious felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC245(a)(1) Assault with a Deadly Weapon	F	03-13-2015	07-20-2015	08-17-2015	15F-03811	CASC San Luis Obispo

19 Prior

20 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code
21 sections 1170.12(b) and (c), that defendant GARY LEE ROBERTS II has suffered the
22 following prior conviction of a serious and/or violent felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC245(a)(1) Assault with a Deadly Weapon	F	03-13-2015	07-20-2015	08-17-2015	15F-03811	CASC San Luis Obispo

26 It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the
27 following factors in aggravation listed in California Rule of Court 4.421 may apply to the
28 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 or 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, or 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.

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

3 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
4 juvenile delinquency proceedings are numerous and of increasing seriousness.

5 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
6 1170(h).

7 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
8 community supervision, and parole when the crime was committed.

9 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
10 release community supervision, and parole was unsatisfactory.

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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: February 18, 2026

4 DAN DOW
5 DISTRICT ATTORNEY

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8 By: _____
9 JULIE ANTOS
10 DEPUTY DISTRICT ATTORNEY
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SUMMARY PAGE					
Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC459		Gary Lee Roberts II		
2	PC664/PC459		Gary Lee Roberts II		
	PC667(a)(1)		Gary Lee Roberts II		
	PC1170.12		Gary Lee Roberts II		