

ELECTRONICALLY
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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

SAN LUIS OBISPO SUPERIOR COURT
By: M. Goossens,
Deputy Clerk

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8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
9 DEPARTMENT 5

10
11 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

COURT CASE NO. 23F-02395

INFORMATION

12
13 vs.

14 **RUSSELL JEFFREY KUHNLE**
DOB: 11/10/1986
15 ID NO. D000178818
16 CII: A26401551

DA CASE NO. 079-686351

17
18 Defendant.

Appearance Date: May 8, 2023

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

22 Count 1

23 On or about February 1, 2023, in the County of San Luis Obispo, State of California, the
24 crime of Corporal Injury To Spouse/Cohabitant/Child's Parent in violation of PC273.5(a), a
25 Felony, was committed in that RUSSELL JEFFREY KUHNLE did willfully and unlawfully
26 inflict corporal injury resulting in a traumatic condition upon Confidential Victim, who was a
27 person with whom the defendant had a dating or engagement relationship.

Count 2

On or about February 1, 2023, in the County of San Luis Obispo, State of California, the crime of Contempt Of Court in violation of PC166(c)(1), a Misdemeanor, was committed in that RUSSELL JEFFREY KUHNLE did willfully and knowingly violate a protective order and stay away order issued pursuant to Penal Code section 136.2.

The People hereby give notice of the People's intent to admit evidence of prior acts of domestic violence pursuant to Evidence Code section 1109. These incidents include the prior incident(s) described in the police report, chronological report, and/or tapes already provided, and other alleged incidents of abuse, which will be provided as they are obtained by the prosecution.

The People hereby notify defendant and defense counsel that the People intend to proceed under the provisions of Evidence Code section 1370 should the victim become unavailable at the time of trial.

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

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

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

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

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

1 4.421(a)(5) The defendant induced a minor to commit and assist in the commission of the
2 crime.

3 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded
4 witnesses from testifying, suborned perjury, and in any other way illegally interfered with
5 the judicial process.

6 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences
7 can be imposed but for which concurrent sentences shall be imposed.

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

10 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary
11 value.

12 4.421(a)(10) The crime involved a large quantity of contraband.

13 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit
14 the offense.

15 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code
16 and no hate crime enhancements under section 422.75 of the Penal Code shall be
17 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal
18 Code.

19 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
20 to society.

21 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
22 juvenile delinquency proceedings are numerous and of increasing seriousness.

23 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
24 1170(h).

25 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
26 community supervision, and parole when the crime was committed.

27 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
28 release community supervision, and parole was unsatisfactory.

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: April 26, 2023

4 DAN DOW
5 DISTRICT ATTORNEY

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7 A handwritten signature in black ink, appearing to read 'S. A. Hunter', is written over a horizontal line. The signature is fluid and cursive.

8
9 SCOTT A HUNTER
10 DEPUTY DISTRICT ATTORNEY

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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC273.5(a)		Russell Jeffrey Kuhnle		
2	PC166(c)(1)		Russell Jeffrey Kuhnle		
3	EC1109 & EC1370		Russell Jeffrey Kuhnle		