

IN CUSTODY

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
SOUTH COUNTY DIVISION**

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

MICHAEL REYES,
dob 01/14/85
aka Michael Dominic Reyes;
Defendant

CT No. CS270768
DA No. BBT516

COMPLAINT-FELONY

INFORMATION

Date: _____

PC296 DNA TEST STATUS SUMMARY

Defendant

DNA Testing Requirements

REYES, MICHAEL

DNA sample has been previously provided

CHARGE SUMMARY

<u>Count</u>	<u>Charge</u>	<u>Issue Type</u>	<u>Sentence Range</u>	<u>Special Allegations</u>	<u>Allegation Effect</u>
1	PC191.5(a) REYES, MICHAEL	Felony	4-6-10	PC1192.7(c)(8)	Serious
2	VC10851(a) REYES, MICHAEL	Felony	16-2-3	PC666.5(a)	2-3-4
3	PC496(a) REYES, MICHAEL	Felony	16-2-3		
4	HS11377(a) REYES, MICHAEL	Felony	16-2-3		
5	VC14601.1(a) REYES, MICHAEL	Misdemeanor	6 Mos\Fine		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

CHARGES

COUNT 1 - GROSS VEHICULAR MANSLAUGHTER WHILE INTOXICATED

On or about March 3, 2014, MICHAEL REYES did unlawfully kill David Voigt, a human being, without malice aforethought, in the driving of a vehicle in violation of Vehicle Code sections 23140, 23152 and 23153 and the killing was the proximate result of the commission of an unlawful act, not amounting to a felony and with gross negligence, in violation of PENAL CODE SECTION 191.5(a), a felony pursuant to Penal Code section 191.5(c)(1).

And it is further alleged that in the commission and attempted commission of the above offense, the said defendant, MICHAEL REYES, personally inflicted great bodily injury upon David Voigt, not an accomplice to the above offense, within the meaning of PENAL CODE SECTION 1192.7(c)(8).

COUNT 2 - UNLAWFUL TAKE AND DRIVE A VEHICLE

On or about March 3, 2014, MICHAEL REYES did unlawfully drive and take a vehicle, the personal property of Keaira Putnam, without the consent of and with intent either permanently or temporarily to deprive the owner of title to and possession of said vehicle, in violation of VEHICLE CODE SECTION 10851(a).

And it is further alleged that the defendant, MICHAEL REYES, was convicted previously of felony vehicle theft under Vehicle Code section 10851, within the meaning of PENAL CODE SECTION 666.5(a).

COUNT 3 - RECEIVING STOLEN PROPERTY

On or about March 3, 2014, MICHAEL REYES did unlawfully buy, receive, conceal, sell, and withhold property other than a vehicle, trailer, or vessel the property of Munder Urzua which had been stolen, knowing such property to be stolen, in violation of PENAL CODE SECTION 496(a).

COUNT 4 - POSSESSION OF A CONTROLLED SUBSTANCE

On or about March 3, 2014, MICHAEL REYES did unlawfully have in his/her possession a controlled substance, to wit: methamphetamine, in violation of HEALTH AND SAFETY CODE SECTION 11377(a).

CHARGES (cont'd)

COUNT 5 - DRIVING WHEN PRIVILEGE SUSPENDED OR REVOKED FOR OTHER REASON

On or about March 3, 2014, MICHAEL REYES did unlawfully drive a motor vehicle at a time when his/her driving privilege was suspended and revoked for a reason other than one listed in Section 14601, 14601.2 or 14601.5 of the Vehicle Code, when he/she had knowledge of such suspension and revocation, in violation of VEHICLE CODE SECTION 14601.1(a).

PRIORS

MICHAEL REYES:

PROBATION DENIAL PRIORS

And it is further alleged that said defendant, MICHAEL REYES, was previously convicted twice or more in this state of a felony, and in any other place of a public offense which if committed in this state would be punished as a felony, within the meaning of PENAL CODE SECTION 1203(e)(4).

<u>Charge</u>	<u>Date of Conviction</u>	<u>Court Number</u>	<u>Court</u>	<u>County</u>	<u>State</u>
HS11350	11/01/2007	CS214069	Superior Court	San Diego	CA
VC10851(a)	03/29/2010	SCN274314	Superior Court	San Diego	CA
VC10851(a)	02/04/2011	SCE308057	Superior Court	San Diego	CA
HS11377(a)	01/16/2014	SCD253214	Superior Court	San Diego	CA

NOTICE: Any defendant named on this complaint who is on criminal probation in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's probation, on any and all such probation grants, utilizing the same evidence, at the preliminary hearing. Defenses to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

NOTICE: Any defendant named on this complaint who is on Mandatory Supervision in San Diego County is, by receiving this complaint, on notice that the evidence presented to the court at the preliminary hearing on this complaint is presented for a dual purpose: the People are seeking a holding order on the charges pursuant to Penal Code Section 872 and simultaneously, the People are seeking a revocation of the defendant's Mandatory Supervision pursuant to Penal Code Sections 1170(h)(5)(B) and 1203.2, on any and all such grants, utilizing the same evidence, at the preliminary hearing. Defense to either or both procedures should be considered and presented as appropriate at the preliminary hearing.

Pursuant to PENAL CODE SECTION 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3.

MANDATORY STATE PRISON INCARCERATION: An executed sentence for a felony shall be served by defendant MICHAEL REYES in state prison pursuant to PENAL CODE SECTIONS 1170(f) and (h)(3).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CS270768, CONSISTS OF 5 COUNTS.

Executed at City of Chula Vista, County of San Diego, State of California, on March 6, 2014.

COMPLAINANT

INFORMATION

BONNIE M. DUMANIS
District Attorney
County of San Diego
State of California
by:

Date

Deputy District Attorney