

THE SUPERIOR COURT, STATE OF CALIFORNIA
For the County of Santa Barbara
Lompoc Division

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA

OCT 16 2018

Darrel E. Parker, Executive Officer
BY *Storina Montes*
J. Montes, Deputy Clerk

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

DINARA AREVALO

DOB: 10/26/1993
Defendant.

DA No. 18-10-430535
Court No. 18CR09601

**2ND AMENDED
FELONY COMPLAINT**

AB109 INELIGIBLE

The undersigned is informed and believes that:

COUNT 1

On or about October 1, 2018, in the County of Santa Barbara, the crime of VEHICLE MANSLAUGHTER-NON ALCOHOL-GROSS NEG.-UNLAWFUL ACT, in violation of **PENAL CODE SECTION 192(c)(1)**, a Felony, was committed by DINARA AREVALO, who did unlawfully kill a human being, to wit, MICHAEL DAVID GARCIA, without malice but with gross negligence, as a proximate result of the commission by said defendant of an unlawful act, a violation of Vehicle Code Section VC 22348(b), while driving a vehicle.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (8).

SPECIAL ALLEG - GREAT BODILY INJURY

It is further alleged that in the commission of the above offense the said defendant, DINARA AREVALO, personally inflicted great bodily injury on BRETT J BRONSTAD, not an accomplice to the above offense, within the meaning of **Penal Code Section 12022.7(a)** and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(8)**.

SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY

It is further alleged as to COUNTS 1 & 2 that the above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

COUNT 2

On or about October 1, 2018, in the County of Santa Barbara, the crime of EVADING AN OFFICER CAUSING DEATH, in violation of **VEHICLE CODE SECTION 2800.3**, a Felony, was committed by DINARA AREVALO, who did willfully and unlawfully, while operating a motor vehicle and with the intent to evade, flee and otherwise attempt to elude a pursuing peace officer's motor vehicle while all of the following conditions existed: the peace officer's motor vehicle exhibited at least one lighted red lamp visible from the front and the defendant either saw or reasonably should have seen the lamp, the peace officer's motor vehicle was sounding its siren as was reasonably necessary, the peace officer's motor vehicle was distinctively marked, and the peace officer's motor vehicle was operated by a peace officer. It is further alleged that the defendant caused death to MICHAEL DAVID GARCIA.

SPECIAL ALLEG - GREAT BODILY INJURY

It is further alleged that in the commission of the above offense the said defendant, DINARA AREVALO, personally inflicted great bodily injury on BRETT J BRONSTAD, not an accomplice to the above offense, within the meaning of **Penal Code Section 12022.7(a)** and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

It is further alleged that the above offense is a violent felony within the meaning of **Penal Code Section 667.5(c)(8)**.

* * * * *

Pursuant to penal code section 1054.5(b), the people are hereby informally requesting that defense counsel provide discovery to the people as required by penal code section 1054.3.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 2 COUNT(S).

Executed at Lompoc, California, on October 15, 2018.


JILLIAN T. OSTROVE
DEPUTY DISTRICT ATTORNEY

Agency: LOPD

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>DRIVER'S LICENSE</u>	<u>COURT STS</u>	<u>DATE</u>
Dinara Arevalo	F	H	202	119	BRO	BLK	F2875653 IC		10/16/2018

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