

1 RONALD J. FREITAS
2 District Attorney, County of San Joaquin
3 State Bar Number 135885
4 By: Frankie Kooger, SBN 251013
5 Supervising Deputy District Attorney
6 222 E. Weber Avenue, First Floor, Room 101,
7 P.O. Box 990
8 Stockton, California 95201

9 Telephone: (209) 468-2400

10 Attorneys for Plaintiff

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN
12 STOCKTON BRANCH

13 THE PEOPLE OF THE STATE OF CALIFORNIA,
14 Plaintiff,

15 vs.

16 ANASTASIA NYCOLE FUENTES,
17 Defendant(s).

No. 202300586
CALIFORNIA HIGHWAY
PATROL CASE
DA Case: 0940164

Complaint No: 202304105041

COMPLAINT

18 I, the undersigned, say, on information and belief, that in the County of SAN JOAQUIN, State
19 of California:

20 **COUNT 1: Code Section PC 191.5(A) GROSS VEH MANSLAUGHTER WHILE**
21 **INTOX**

22 On or about April 6, 2023 in the County of San Joaquin, California, ANASTASIA NYCOLE
23 FUENTES did commit the crime of GROSS VEHICULAR MANSLAUGHTER WHILE
24 INTOXICATED, in violation of Section 191.5(a) of the Penal Code, a FELONY, who at the
25 time and place last aforesaid, did willfully kill ARTURO PADILLA JR, a human being,
26 without malice aforethought, in the driving of a vehicle in violation of vehicle Code Sections
27 23152 and 23153 and the killing was the proximate result of the commission of unlawful act,

1 not amounting to a felony, to-wit: VC22350 AND/OR VC23103 a violation of the Vehicle
2 Code, and with gross negligence; or the proximate result of the commission of a lawful act
3 which might have produced death, in an unlawful manner and with gross negligence. NOTICE:
4 It is further alleged that the above offense is a serious felony within the meaning of Penal Code
5 Sections 1192.7(c) and 1192.8.

6
7 **VC20001(C) FLEE CRIME SCENE**

8 It is further alleged with regard to defendant, ANASTASIA NYCOLE FUENTES, that said
9 defendant fled the scene of the crime after committing a violation of Section 191.5, paragraph
10 (1) or (3) of Section 192, or subdivision (a) or (c) of Section 192.5 of the Penal Code.

11
12 For a further and separate cause of complaint, being a different offense from but connected in
13 its commission with the charge(s) above, complainant further complains and says:

14
15 **COUNT 2: Code Section PC 192(C)(1) VEH MANSLAUGHTER W/GROSS NEG**

16 On or about April 6, 2023 in the County of San Joaquin, California, ANASTASIA NYCOLE
17 FUENTES did commit the crime of VEHICULAR MANSLAUGHTER WITH GROSS
18 NEGLIGENCE, in violation of Section 192(c)(1) of the Penal Code, a FELONY, in that the
19 said defendant(s), while driving a vehicle, did unlawfully kill ARTURO PADILLA JR, a
20 human being, without malice, and with gross negligence, (a) as a proximate result of the
21 commission by said defendant of an unlawful act, a violation of Vehicle Code Section
22 VC22350 AND/OR VC23103 not amounting to a felony, and/or (b) as a proximate result of the
23 commission by said defendant of a lawful act which might produce death, in an unlawful
24 manner. NOTICE: It is further alleged that the above offense is a serious felony within the
25 meaning of Penal Code Sections 1192.7(c) and 1192.8.

26 ///

1 **VC20001(C) FLEE CRIME SCENE**

2 It is further alleged with regard to defendant, ANASTASIA NYCOLE FUENTES, that said
3 defendant fled the scene of the crime after committing a violation of Section 191.5, paragraph
4 (1) or (3) of Section 192, or subdivision (a) or (c) of Section 192.5 of the Penal Code.

5
6 For a further and separate cause of complaint, being a different offense from but connected in
7 its commission with the charge(s) above, complainant further complains and says:

8
9 **COUNT 3: Code Section VC 20001(A) HIT& RUN-RESULT INJ/DEATH**

10 On or about April 6, 2023 in the County of San Joaquin, California, ANASTASIA NYCOLE
11 FUENTES did commit the crime of HIT AND RUN RESULTING IN DEATH OR INJURY,
12 in violation of Section 20001(a) of the Vehicle Code, a FELONY, who at the time and place
13 last aforesaid being then and there the driver of a vehicle involved in an accident resulting in
14 injury to a person other than herself, to wit: ARTURO PADILLA JR, did fail to stop said
15 vehicle at the scene of said accident and did fail to stop and comply with the requirements of
16 Sections 20003 and 20004 of the Vehicle Code of the State of California.

17
18 For a further and separate cause of complaint, being a different offense from but connected in
19 its commission with the charge(s) above, complainant further complains and says:

20
21 **COUNT 4: Code Section VC 23153(A) DUI ALCOHOL: CAUSING BODILY INJURY**

22 On or about April 6, 2023 in the County of San Joaquin, California, ANASTASIA NYCOLE
23 FUENTES did commit the crime of DUI ALCOHOL: CAUSING BODILY INJURY, in
24 violation of Section 23153(a) of the Vehicle Code, a FELONY, who at the time and place last
25 aforesaid, did willfully and unlawfully, while under the influence of an alcoholic beverage,
26 drive a vehicle and in so driving did an act forbidden by law, to-wit: VC 22350 AND/OR

1 VC23103 which proximately caused bodily injury to ARTURO PADILLA JR.

2
3 **Infliction of Great Bodily Injury PC12022.7(A)**

4 It is further alleged that in the commission of the above offense the said defendant(s),
5 ANASTASIA NYCOLE FUENTES, personally inflicted great bodily injury upon ARTURO
6 PADILLA JR, not an accomplice to the above offense, within the meaning of Penal Code
7 Section 12022.7 and also causing the above offense to be a serious felony within the meaning
8 of Penal Code Section 1192.7(c)(8).

9
10 For a further and separate cause of complaint, being a different offense from but connected in
11 its commission with the charge(s) above, complainant further complains and says:

12
13 **COUNT 5: Code Section VC 23153(B) DUI .08 ALCOHOL: CAUSING BODILY**
14 **INJURY**

15 On or about April 6, 2023 in the County of San Joaquin, California, ANASTASIA NYCOLE
16 FUENTES did commit the crime of DUI .08 ALCOHOL: CAUSING BODILY INJURY, in
17 violation of Section 23153(b) of the Vehicle Code, a FELONY, who at the time and place last
18 aforesaid, did willfully and unlawfully, while having .08 percent and more, by weight, of
19 alcohol in said defendant's blood, drive a vehicle and in so driving did an act forbidden by law,
20 to-wit: VC 22350 AND/OR VC23103 and neglected a duty imposed by law which proximately
21 caused bodily injury to ARTURO PADILLA JR.

22
23 **Infliction of Great Bodily Injury PC12022.7(A)**

24 It is further alleged that in the commission of the above offense the said defendant(s),
25 ANASTASIA NYCOLE FUENTES, personally inflicted great bodily injury upon ARTURO
26 PADILLA JR., not an accomplice to the above offense, within the meaning of Penal Code

1 Section 12022.7 and also causing the above offense to be a serious felony within the meaning
2 of Penal Code Section 1192.7(c)(8).

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4
5 If the above-named defendant(s) is/are presently on probation in San Joaquin County, any
6 evidence presented at a preliminary hearing in the instant case will be used not only as a basis
7 for a holding order in this case but also as evidence of a violation of probation and, at any
8 formal hearing on that violation of probation, the People will move the transcript of the
9 preliminary hearing into evidence as a basis for the violation.

10
11 Pursuant to Penal Code Section 1054.5(b), the People hereby informally request that the
12 defendant and their attorney disclose to the People all information and materials described in
13 Penal Code Section 1054.3.

14
15 I declare under penalty of perjury that the foregoing is true and correct except for those things
16 stated on information and belief and those I believe to be true.

17
18 Executed on April 10, 2023, at Stockton, California.

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21 FRANKIE KOOGER
22 Supervising Deputy District Attorney

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FK/vh