

FILED
SUPERIOR COURT - STOCKTON

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8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN

9 Stockton Branch

STK-CR-FE-2018-

8334

10 The People of the State of California,
11 Plaintiff,

No. IN-4147700,
SP17-23899,
VL-109-017

12 v.

DA Case: CR-2018-4173807

13
14 NESTOR VELASQUEZ

COMPLAINT

REQUEST BOOKING

15
16
17
18 Defendant(s).

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

21
22 **COUNT 1: VEH MANSLAUGHTER W/GROSS NEG PC.192(C) (1)**

23 On or about June 28, 2017, in the County of San Joaquin,
24 California, NESTOR VELASQUEZ, did commit the crime of VEHICULAR
25 MANSLAUGHTER WITH GROSS NEGLIGENCE, in violation of Section
26 192(c)(1) of the Penal Code, a FELONY, in that the said
27

LTA
7/18/18

1 defendant(s), while driving a vehicle, did unlawfully kill TITUS
2 TABOTABO III (DOB 04/16/1989) a human being, without malice, and
3 with gross negligence, (a) as a proximate result of the commission
4 by said defendant of an unlawful act, a violation of Vehicle Code
5 Section 22350 and 21453a pursuant to VC 21056 not amounting to a
6 felony, and/or (b) as a proximate result of the commission by said
7 defendant of a lawful act which might produce death, in an unlawful
8 manner.
9

10
11 If the above-named defendant(s) is/are presently on probation in
12 San Joaquin County, any evidence presented at a preliminary hearing
13 in the instant case will be used not only as a basis for a holding
14 order in this case but also as evidence of a violation of probation
15 and, at any formal hearing on that violation of probation, the
16 People will move the transcript of the preliminary hearing into
17 evidence as a basis for the violation.
18
19
20

21 ///

22 ///

23 ///

1 Pursuant to Penal Code Section 1054.5(b), the People hereby
2 informally request that the defendant and his/her attorney disclose
3 to the People all information and materials described in Penal Code
4 Section 1054.3.

5
6 I declare under penalty of perjury that the foregoing is true and
7 correct except for those things stated on information and belief
8 and those I believe to be true.
9

10 Executed on 6/28/2018, at Stockton, California.

11
12 dcr



Date of Birth 3/8/91

Case No. CK-2018-8334

PEOPLE v NESTOR VELASQUEZ

Defendant Date 2-28-19

CHARGE(S) 1. PC 192(C)(1)

INFRACTION MISDEMEANOR FELONY

COURT ACTION

TCJDG Judgment of _____ years _____ months state prison imposed; execution of sentence suspended.

TCPSO Previous sentence vacated - Case resentenced

TCPC Imposition of sentence suspended. Conditions of Mandatory Supervision.

TCPG Formal probation granted; Placed under care and supervision of the Probation Officer for a period of _____ years; to follow all orders of the court and probation officer and report as directed.

TCPS A. As to count _____ B. As to all counts.
 Conditional probation granted for 3 years.
A. As to count _____ B. As to all counts.

PRAM Collab Court Super Probation granted on _____ is (Formal/Informal)
 Parole Community Supervision Mandatory Supervision is:
 D. Reinstated and modified.* F. Revoked and reinstated.*
 G. Modified.* H. Terminated. Time is tolled
 I. Extended for _____ yrs.* From today's date
 K. Modified: Formal to Informal probation.* N. Informal to Formal Probation*
 All previously ordered terms and conditions of PRCS are imposed.
* Original terms in full force and effect except as modified herein.

FINE: Defendant to pay fine, assessment and/or fees as follows:

TCFIN* \$ _____ as to count _____ DPF \$ _____ Drug Program fee

TCFIN* \$ _____ as to count _____ LEF \$ _____ Law Enforcement

TCPRF \$ 150 Restitution fine. SUR Plus 15 Surcharge

TCVRF \$ 150 Additional restitution fine pur. PC1202.44 to be suspended unless probation is revoked. MIMAT \$ _____ MAT

TC DMF \$ _____ Domestic Violence Fund. LAB \$ _____ Criminal Lab fee

MICCF Conviction assmt. \$ 30 PUR GC 70373 (A)(1)

MIAD Security Fee 40 2. O.R. 3. Cite _____

MIAD1 Booking fee _____ MICIT payable to city of arrest

TCAFA \$ _____ fee for PD

TCFSP \$ _____ to be suspended with proof of _____ as to count _____ to the Clerk of the Court by _____

TCFT \$ _____ D. suspended \$ _____ Credit for time served

TCFFS Fine/fees stayed on condition (as checked under terms of probation).

TCFS Fine and certain fees must be provided to: S. MSB
 Clerk of the Court U. Forthwith W. Probation. Y. BY _____

TCCRS Pay \$ _____ per month commencing _____ plus Adm. Fee.

TCADB Manner of payments to be determined by the above. Plus Adm. Fee.
 Count _____ to be dismissed with \$25 POC fee and proof of _____
 Count _____ to be reduced to an infraction and fine reduced to \$ _____ to \$157 with proof of valid CDL by _____ / /

TCPOCINS Count _____ reduced to _____ with proof of insurance or dismiss with proof and \$25 POC fee by _____ / /

CONDITIONS

TCRFV Obey all laws. TCDNT Do not commit same or similar offense.

TCCRT Obey all court orders.

TCADC Notify court immediately of any change in residence address.

TCA TP. Participate RT. Participate pur. Prop 36 in a treatment program approved by the Probation Officer until otherwise directed, terminated, or transferred to similar treatment agency by the Probation Officer. _____

TCREL Execute any releases as required by any probation officer.

TCEMP Seek and maintain employment and notify probation officer of any change.

TCRPF Notify probation officer immediately of any change in residence or mailing address.

TCDEC Submit a revised financial declaration 120 days prior to the expiration of probation.

TCPO Not change place of residence or leave
Q. San Joaquin County R. State of California without written permission of the probation officer

MICPF Cooperate with probation department as to fees pursuant to 1203.1b P.C.

PRCIJ Probation department to contact defendant at the jail.

TCRP Report to Probation Officer Parole Officer O. on _____ at _____
 P. Within _____ days of release. _____ business days of release.
 _____ hours of release. Q. Forthwith

TCSAF Stay away from _____

TCOR8 Stay 100 yards away from, do not contact, not have anyone contact _____

TCOR0 inc. residence, place of employment, and vehicle

TCNFV Do not annoy, harass, threaten, or strike _____

DVCP Comply with all conditions of CPO filed O. herein, P. on _____

TCNA Abstain from the use of L. alcohol I. drugs

TCNOM Not to use or in any way traffic in narcotics and not to associate with any person using or in any way trafficking in narcotics.

TCNF Do not own, have possession, custody or control of C. contraband, drugs or drug paraphernalia. B. firearms G. weapons
H. ammunition F. _____ M10Y For 10 years

TCWPN Weapon ordered confiscated and destroyed.

TCS2 Submit person, vehicle, place of residence or area over which he/she has control to search for and seizure of F. _____
A. Narcotics, drugs and other contraband B. Stolen Property
D. Weapons G. Firearms H. Ammunition I. Unlimited
At any time of day or night, with or without search warrant, with or without probable cause as directed by probation officer or any peace officer.

TCRE Register as required pursuant to
 A. PC 290 sex offender E. PC 186.30 gang member
 B. HS 11590 narcotics offender C. PC 457.1 arson offender

FDSOS Supplemental orders for sexual assault/child abuse cases filed.

TCDNA Comply with DNA testing per 296PC

TCREI Submit internet identifiers as required

TCRID Comply with AIDS testing and education as required by law

TCTPH At jail, Sheriff to forward test results to Public Health

TCCPH Report to San Joaquin County Public Health Clinic within _____ days
 Of release from custody, if not tested at Jail.

TCRCU File proof of _____ by _____

TCFPO _____

TCNSG _____

OTHER _____ PREVIOUSLY ORDERED IS DELETED.
 No parole, mandatory supervision or DAPO pursuant to PC 1170.18(D)

JAIL: Defendant to serve jail as follows:

TC DIJ. _____ days as to count _____ OJD. _____ days, original sentence

TC DIJ. _____ days as to count _____ DIJ. _____ days jail

TC DIJ. _____ days as to count _____ DGN. _____ days given _____

TCDAT Serve additional _____ years _____ months _____ days for _____

TCGLO _____ days consec./concc. in lieu of _____

TC B. Case is C. Count _____ is 1. Concurrent with
 A. Count _____
 B. Case Number(s) _____
 C. All other sentences D. Fine G. Parole violation

TC B. Case is C. Count _____ is 2. Consecutive with
 A. Count _____
 B. Case Number(s) _____
 C. All other sentences D. Fine G. Parole violation

TCTJD TOTAL JAIL OF _____ days MILIF Stay lifted

TCDY5 _____ days stayed on condition(s) as checked under terms of probation.

TCDCS _____ days suspended. TCCTS CTS of _____ days: 0 hrs.

TCN HD NO HOME DETENTION WF. No Work Furlough WR. No AWP

TCOK No objection to Court recommends Work Furlough
 Home Detention AWP Contact AWP by _____ / /

TCCNO Court not opposed to AWP in _____ county.

TCVJD Vacate date of _____ to report to County Jail.

TCDSA Report on _____ at 9:00 a.m.

TCRJS Report to jail on time, free of alcohol, drugs or contraband or _____ days jail automatically consecutive B. or _____ State Prison

TCJPA Defendant to be booked, processed and released at jail on _____ / / at _____

TCCMT Defendant committed CSICA Commitment issued.

COMMUNITY SERVICE

TCCI In lieu of A. Jail B. Fine of \$ _____

TCCS E. Complete 200 hrs. of Community Service
 by 3/28/19 work to be completed through Non Profit
 or pay fine by _____ / / Probation to monitor

TCVEH File proof with the court by _____ / /
 CMS to be reduced by/to _____ hours if proof shown

PROGRAM

TCRR Re-referred E. to _____ G. Per Prop 36

TCARF Modify to _____ as soon as bed available, balance of sentence to be permanently stayed if program completed. MINRB Not to be released until a bed is available.

TCJSJ P. Attend and complete the _____ Program
N. No credit for time in the program if defendant fails to attend and/or complete.

TCCOA DUI Compliance Officer ordered to complete an assessment re: alcohol treatment.

TCCCJ Defendant to be contacted at the County Jail.

TCRB Report to _____ Z. within _____ days
 V. Forthwith W. on _____ at _____

RESTITUTION

TCR Ordered to make restitution as to count(s) _____ in the amount
 1. and manner to be recommended by the
 2. of \$ _____ and in the manner recommended by
 A. Probation B. Human Services E. Family Support F. RRD

TCCRO Pay at the rate of \$ _____ per month commencing _____

MIFEE Plus _____ processing fee. TCLPM Less payments already made.

MIDYS The above agency to contact the defendant within _____ days.

TCJNS Joint and several. TCDAR Per Harvey waiver.

TCRAM Restitution is subject to review by Court regarding amount & manner only. Defendant advised of right to a hearing. Restitution reserved
TCWIN Within _____ days of notification

CONTINUANCE

MISIG Conditions to be signed and returned by _____

SH Continued to 2-28-20 at 8-30
in Dept. 8B for CMS

APDOP Defendant ordered present - UNLESS Filed to PROOF of CMS 15

MIINT Interpreter required

TCOTH _____

CSFRG Defendant released from custody as to this action.

I, _____ have interpreted this form to the above named defendant.
DEFENDANT'S SIGNATURE [Signature]
I have received a copy of this Order granting Probation. I understand and agree to the terms of probation.
ADDRESS _____
Phone# () _____

[Signature] JUDGE

COURTS

LODI COURT - SAN JOAQUIN
315 W. Elm Street
Lodi, CA 95240

(209) 992-5521
(209) 992-5522
(209) 992-5520

MANTECA COURT - SAN JOAQUIN
315 E. Center Street
Manteca, CA 95336

(209) 239-1316

STOCKTON COURT - SAN JOAQUIN
180 East Weber Avenue, Ste 202
Stockton, California 95202

(209) 992-5691

DRUG COURT OFFICE
180 East Weber Avenue, Ste 514
Stockton, California 95202

(209) 992-5824

COUNTY AGENCIES

ALCOHOL & DRUG ALTERNATIVE PROGRAM (ADAP)
620 N. Aurora, Ste 1
Stockton, CA 95202

(209) 468-6840

FAMILY SUPPORT DIVISION, COUNTY OF SAN JOAQUIN
826 N. California Street
Stockton, CA 95202

(209) 468-2577

HUMAN SERVICES AGENCY (HSA)
at District Attorney Impact Unit
COUNTY OF SAN JOAQUIN
343 E. Main Street
Stockton, California 95202

(209) 953-7737

MENTAL HEALTH, COUNTY OF SAN JOAQUIN
Crisis Intervention Center
1212 North California
Stockton, California 95202

(209) 468-8686

PROBATION DEPARTMENT, COUNTY OF SAN JOAQUIN
Canlis Building, Adult Division
24 South Hunter Street, Room 201
Stockton, California 95202

(209) 468-4100

PUBLIC HEALTH DEPT., COUNTY OF SAN JOAQUIN
1601 East Hazelton Avenue
Stockton, California 95205

(209) 468-3400

REVENUE AND RECOVERY DIVISION (RRD)
350 E. Weber Ave.
Stockton, California 95202

(209) 468-2100

CITY OF ARREST (BOOKING FEE)

CITY OF STOCKTON
Finance Department
425 N. Eldorado St.
Stockton, CA 95202

CITY OF MANTECA
Finance Department
1001 West Center St.
Manteca, CA 95336

CITY OF ESCALON
Finance Department
2060 McHenry Ave.
Escalon, CA 95320

CITY OF RIPON
Finance Department
259 N. Wilma Ave.
Ripon, CA 95366

CITY OF LATHROP
Finance Department
16775 Howland Rd., Ste 1
Lathrop, CA 95330

CITY OF TRACY
Finance Department
325 E. 10th St.
Tracy, CA 95376

COLLECTION AGENCY

MUNICIPAL SERVICES BUREAU
P.O. Box 16755
Houston, TX 78761-6755

(800) 616-0166