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6
7
8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
9 DEPARTMENT 10

10
11 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

12
13 vs.

14 **EDGAR NOLVERTO GUEVARA**

15 DOB: 01/29/1980 ID NO. D000163676
16 AKA EDGAR NOLVERTO GUEVARA,
EDGAR NOLBERTO * GUEVARA, EDGAR
17 NOBERTO * GUEVARA, EDGAR
NOLVERTO GUEVARA, EDGAR NOBERTO
18 GUEVARA, EDGAR GUEVARA, EDGAR
NOLBERTO GUEVARA, EDGAR
19 NOLVERTO GUEVARA, JORGE MARTINEZ,
EDGAR N GUERAVA, EDGAR N GUERAVA

20 Defendant.

COURT CASE NO. 22F-07412

AMENDED INFORMATION

DA CASE NO. 079-682668

Appearance Date: November 29,
2023

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

24 Count 1

25 On or between February 16, 2004 and February 15, 2006, in the County of San Luis
26 Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a
27 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
28

1 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
2 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
3 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
4 defendant and the said child, to wit: penis to vagina, first time.

5 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
6 1192.7(c).

7 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
8 section 290. Willful failure to register is a crime.

9 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
10 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
11 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
12 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
13 resulting in a court order.

14 Enhancement

15 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

16 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
17 defendant, EDGAR NOLVERTO GUEVARA, as to count 1 that the following
18 circumstances apply: Multiple Victims.

19 Special Allegation

20 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

21 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
22 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
23 birthday.

24 Count 2

25 On or between February 16, 2004 and February 15, 2006, in the County of San Luis
26 Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a
27 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
28 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and

1 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
2 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
3 defendant and the said child, to wit: penis to vagina, last time.

4 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
5 1192.7(c).

6 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
7 section 290. Willful failure to register is a crime.

8 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
9 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
10 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
11 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
12 resulting in a court order.

13 Enhancement

14 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

15 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
16 defendant, EDGAR NOLVERTO GUEVARA, as to count 2 that the following
17 circumstances apply: Multiple Victims.

18 Special Allegations

19 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

20 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
21 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
22 birthday.

23 Count 3

24 On or between February 16, 2004 and February 15, 2006, in the County of San Luis
25 Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a
26 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
27 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
28 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of

1 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
2 defendant and the said child, to wit: hand to vagina, first time.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c).

5 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
6 section 290. Willful failure to register is a crime.

7 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
8 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
9 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
10 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
11 resulting in a court order.

12 Enhancement

13 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

14 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
15 defendant, EDGAR NOLVERTO GUEVARA, as to count 3 that the following
16 circumstances apply: Multiple Victims..

17 Special Allegation

18 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

19 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
20 commission of the offense and this prosecution was commenced prior to [REDACTED]s 40th
21 birthday.

22 Count 4

23 On or between February 16, 2004 and February 15, 2006, in the County of San Luis
24 Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a
25 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
26 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
27 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
28

1 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
2 defendant and the said child, to wit: hand to vagina, last time.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c).

5 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
6 section 290. Willful failure to register is a crime.

7 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
8 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
9 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
10 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
11 resulting in a court order.

12 Enhancement

13 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

14 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
15 defendant, EDGAR NOLVERTO GUEVARA, as to count 4 that the following
16 circumstances apply: Multiple Victims.

17 Special Allegation

18 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

19 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
20 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
21 birthday.

22 Count 5

23 On or between February 16, 2004 and February 15, 2006, in the County of San Luis
24 Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a
25 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
26 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
27 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
28

1 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
2 defendant and the said child, to wit: hand to penis, first time.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c).

5 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
6 section 290. Willful failure to register is a crime.

7 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
8 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
9 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
10 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
11 resulting in a court order.

12 Enhancement

13 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

14 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
15 defendant, EDGAR NOLVERTO GUEVARA, as to count 5 that the following
16 circumstances apply: Multiple Victims.

17 Special Allegation

18 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

19 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
20 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
21 birthday.

22 Count 6

23 On or between February 16, 2004 and February 15, 2006, in the County of San Luis
24 Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a
25 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
26 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
27 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
28

1 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
2 defendant and the said child, to wit: hand to penis, last time.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c).

5 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
6 section 290. Willful failure to register is a crime.

7 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
8 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
9 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
10 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
11 resulting in a court order.

12 Enhancement

13 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

14 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
15 defendant, EDGAR NOLVERTO GUEVARA, as to count 6 that the following
16 circumstances apply: Multiple Victims.

17 Special Allegation

18 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

19 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
20 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
21 birthday.

22 Count 7

23 On or between February 16, 2004 and February 15, 2006, in the County of San Luis
24 Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a
25 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
26 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
27 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
28

1 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
2 defendant and the said child, to wit: mouth to vagina.

3 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4 1192.7(c).

5 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
6 section 290. Willful failure to register is a crime.

7 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
8 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
9 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
10 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
11 resulting in a court order.

12 Enhancement

13 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

14 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
15 defendant, EDGAR NOLVERTO GUEVARA, as to count 7 that the following
16 circumstances apply: Multiple Victims.

17 Special Allegation

18 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

19 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
20 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
21 birthday.

22 Count 8

23 On or about August 30, 2022, in the County of San Luis Obispo, State of California, the
24 crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was committed in that
25 EDGAR NOLVERTO GUEVARA did willfully, unlawfully, and lewdly commit a lewd and
26 lascivious act upon and with the body and certain parts and members thereof of [REDACTED]
27 [REDACTED], a child under the age of fourteen years, with the intent of arousing, appealing to, and
28

1 gratifying the lust, passions, and sexual desires of the said defendant and the said child, to
2 wit: hand to thigh.

3 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
4 section 290. Willful failure to register is a crime.

5 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
6 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
7 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
8 obtain a copy of the report.

9 Multiple Victims

10 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
11 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

12 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
13 test for evidence of antibodies to the probable causative agent of Acquired Immune
14 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

15 Enhancement

16 PC667.61(j)(2): Spec Alleg-Sex Crimes Aggravating Circumstances

17 It is further alleged, as to count 8 within the meaning of Penal Code sections 667.61(j)(2)
18 and (e), that the victim in the above offense was a child under 14 years of age and that the
19 following circumstance applies: Multiple Victims.

20 Count 9

21 On or between August 30, 2021 and August 29, 2022, in the County of San Luis Obispo,
22 State of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony,
23 was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully, and lewdly
24 commit a lewd and lascivious act upon and with the body and certain parts and members
25 thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,
26 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
27 and the said child, to wit: hand to buttocks.

1 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
2 section 290. Willful failure to register is a crime.

3 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
4 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
5 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
6 obtain a copy of the report.

7
8 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
9 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

10 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
11 test for evidence of antibodies to the probable causative agent of Acquired Immune
12 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

13
14 Enhancement

15 PC667.61(j)(2): Spec Alleg-Sex Crimes Aggravating Circumstances

16 It is further alleged, as to count 9 within the meaning of Penal Code sections 667.61(j)(2)
17 and (e), that the victim in the above offense was a child under 14 years of age and that the
18 following circumstance applies: Multiple Victims.

19
20 Count 10

21 On or between June 19, 2019 and June 18, 2021, in the County of San Luis Obispo, State
22 of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was
23 committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully, and lewdly
24 commit a lewd and lascivious act upon and with the body and certain parts and members
25 thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,
26 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
27 and the said child, to wit: hand to vagina, first time.

1 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
2 section 290. Willful failure to register is a crime.

3 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
4 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
5 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
6 obtain a copy of the report.

7
8 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
9 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

10 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
11 test for evidence of antibodies to the probable causative agent of Acquired Immune
12 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

13 Enhancement

14 PC667.61(j)(2): Spec Alleg-Sex Crimes Aggravating Circumstances

15 It is further alleged, as to count 10 within the meaning of Penal Code sections 667.61(j)(2)
16 and (e), that the victim in the above offense was a child under 14 years of age and that the
17 following circumstance applies: Multiple Victims.

18 Count 11

19 On or between June 19, 2019 and June 18, 2021, in the County of San Luis Obispo, State
20 of California, the crime of Lewd Act Upon A Child in violation of PC288(a), a Felony, was
21 committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully, and lewdly
22 commit a lewd and lascivious act upon and with the body and certain parts and members
23 thereof of [REDACTED], a child under the age of fourteen years, with the intent of arousing,
24 appealing to, and gratifying the lust, passions, and sexual desires of the said defendant
25 and the said child, to wit: hand to vagina, last time.

26 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
27 section 290. Willful failure to register is a crime.

1 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
2 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
3 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
4 obtain a copy of the report.

5 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
6 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

7 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
8 test for evidence of antibodies to the probable causative agent of Acquired Immune
9 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

10 Enhancement

11 PC667.61(j)(2): Spec Alleg-Sex Crimes Aggravating Circumstances

12 It is further alleged, as to count 11 within the meaning of Penal Code sections 667.61(j)(2)
13 and (e), that the victim in the above offense was a child under 14 years of age and that the
14 following circumstance applies: Multiple Victims.

15 Count 12

16 On or between June 19, 2019 and June 18, 2021, in the County of San Luis Obispo, State
17 of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a
18 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
19 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
20 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
21 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
22 defendant and the said child, by use of force, violence, duress, menace, and threat of
23 great bodily harm, to wit: mouth to vagina, first time.

24 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
25 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

26 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
27 section 290. Willful failure to register is a crime.

1 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
2 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
3 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
4 obtain a copy of the report.

5
6 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
7 test for evidence of antibodies to the probable causative agent of Acquired Immune
8 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

9 Enhancement

10 PC667.61(j)(2): Spec Alleg-Sex Crimes Aggravating Circumstances

11 It is further alleged, as to count 12 within the meaning of Penal Code sections 667.61(j)(2)
12 and (e), that the victim in the above offense was a child under 14 years of age and that the
13 following circumstance applies: Multiple Victims.

14 Count 13

15 On or between June 19, 2019 and June 18, 2021, in the County of San Luis Obispo, State
16 of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a
17 Felony, was committed in that EDGAR NOLVERTO GUEVARA did willfully, unlawfully,
18 and lewdly commit a lewd and lascivious act upon and with the body and certain parts and
19 members thereof of [REDACTED], a child under the age of fourteen years, with the intent of
20 arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
21 defendant and the said child, by use of force, violence, duress, menace, and threat of
22 great bodily harm, mouth to vagina, last time.

23 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
24 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

25 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
26 section 290. Willful failure to register is a crime.

27 NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
28 Report (SCAR) may have been generated in this case. Penal Code Section 11167 and

1 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
2 obtain a copy of the report.

3
4 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
5 test for evidence of antibodies to the probable causative agent of Acquired Immune
6 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

7 Enhancement

8 PC667.61(j)(2): Spec Alleg-Sex Crimes Aggravating Circumstances

9 It is further alleged, as to count 13 within the meaning of Penal Code sections 667.61(j)(2)
10 and (e), that the victim in the above offense was a child under 14 years of age and that the
11 following circumstance applies: Multiple Victims.

12 Count 14

13 On or between September 9, 2010 and March 26, 2012, in the County of San Luis Obispo,
14 State of California, the crime of Forcible Rape-Child Victim Over 14 Years in violation of
15 PC261(a)(2), a Felony, was committed in that EDGAR NOLVERTO GUEVARA did
16 unlawfully have and accomplish an act of sexual intercourse with a person, to wit, [REDACTED]
17 [REDACTED], not his/her spouse, against said person's will, by means of force, violence, duress,
18 menace and fear of immediate and unlawful bodily injury on said person and another, to
19 wit: first time. It is further alleged that the victim was a child, 14 years of age and older.

20 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
21 test for evidence of antibodies to the probable causative agent of Acquired Immune
22 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

23 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
24 section 290. Willful failure to register is a crime.

25 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
26 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

27
28 Enhancement

1 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

2 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
3 defendant, EDGAR NOLVERTO GUEVARA, as to count 14 that the following
4 circumstances apply: Multiple Victims.

5 Special Allegation

6 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

7 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
8 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
9 birthday.

10 Count 15

11 On or between September 9, 2010 and March 26, 2012, in the County of San Luis Obispo,
12 State of California, the crime of Forcible Rape-Child Victim Over 14 Years in violation of
13 PC261(a)(2), a Felony, was committed in that EDGAR NOLVERTO GUEVARA did
14 unlawfully have and accomplish an act of sexual intercourse with a person, to wit, [REDACTED]
15 [REDACTED], not his/her spouse, against said person's will, by means of force, violence, duress,
16 menace and fear of immediate and unlawful bodily injury on said person and another, to
17 wit: last time. It is further alleged that the victim was a child, 14 years of age and older.

18 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
19 test for evidence of antibodies to the probable causative agent of Acquired Immune
20 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

21 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
22 section 290. Willful failure to register is a crime.

23 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
24 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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Enhancement

PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant, EDGAR NOLVERTO GUEVARA, as to count 15 that the following circumstances apply: Multiple Victims.

Special Allegation

PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

It is further alleged that [REDACTED] was under the age of 18 years at the time of the commission of the offense and this prosecution was commenced prior to [REDACTED] 40th birthday.

Count 16

On or between September 9, 2010 and March 26, 2012, in the County of San Luis Obispo, State of California, the crime of Sexual Penetration By Foreign Object-Minor Victim Over 14 in violation of PC289(a)(1)(C), a Felony, was committed in that EDGAR NOLVERTO GUEVARA committed an act of sexual penetration against the will of [REDACTED] who was a minor over the age of 14 years, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on [REDACTED] and another person, to wit: first time.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime.

NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of imposition of sentence for this offense.

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Enhancement

PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant, EDGAR NOLVERTO GUEVARA, as to count 16 that the following circumstances apply: Multiple Victims.

Special Allegation

PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

It is further alleged that [REDACTED] was under the age of 18 years at the time of the commission of the offense and this prosecution was commenced prior to [REDACTED] 40th birthday.

Count 17

On or between September 9, 2010 and March 26, 2012, in the County of San Luis Obispo, State of California, the crime of Sexual Penetration By Foreign Object-Minor Victim Over 14 in violation of PC289(a)(1)(C), a Felony, was committed in that EDGAR NOLVERTO GUEVARA committed an act of sexual penetration against the will of [REDACTED], who was a minor over the age of 14 years, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on [REDACTED] and another person, to wit: last time.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime.

NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

1 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of
2 imposition of sentence for this offense.

3 Enhancement

4 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

5 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
6 defendant, EDGAR NOLVERTO GUEVARA, as to count 17 that the following
7 circumstances apply: Multiple Victims.

8 Special Allegation

9 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

10 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
11 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
12 birthday.

13 Count 18

14 On or between September 9, 2010 and March 26, 2012, in the County of San Luis Obispo,
15 State of California, the crime of Sodomy By Use Of Force-Victim 14 Or Older in violation of
16 PC286(c)(2)(C), a Felony, was committed in that EDGAR NOLVERTO GUEVARA did
17 unlawfully commit an act of sodomy with [REDACTED], a minor 14 years of age and older
18 when the act was committed, and did accomplish said act against said victim's will by
19 force, violence, duress, menace and fear of immediate and unlawful bodily injury to said
20 victim and to another.

21 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
22 test for evidence of antibodies to the probable causative agent of Acquired Immune
23 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

24
25 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
26 section 290. Willful failure to register is a crime.

27 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
28 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

1 NOTICE: Penal Code 1203.065(a) prohibits the grant of probation or suspension of
2 imposition of sentence for this offense.

3 Enhancement

4 PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

5 It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to
6 defendant, EDGAR NOLVERTO GUEVARA, as to count 18 that the following
7 circumstances apply: Multiple Victims.

8 Special Allegation

9 PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

10 It is further alleged that [REDACTED] was under the age of 18 years at the time of the
11 commission of the offense and this prosecution was commenced prior to [REDACTED] 40th
12 birthday.

13 Count 19

14 On or between September 9, 2010 and March 26, 2012, in the County of San Luis Obispo,
15 State of California, the crime of Forcible Oral Copulation-Minor Victim Over 14 Years in
16 violation of PC288A(c)(2)(C), a Felony, was committed in that EDGAR NOLVERTO
17 GUEVARA did unlawfully participate in an act of oral copulation with [REDACTED], who was
18 a minor over the age of 14 years, and did accomplish said act against said victim's will by
19 force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said
20 victim and to another, to wit: first time.

21 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
22 test for evidence of antibodies to the probable causative agent of Acquired Immune
23 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

24 NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
25 section 290. Willful failure to register is a crime.

26 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
27 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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Enhancement

PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant, EDGAR NOLVERTO GUEVARA, as to count 19 that the following circumstances apply: Multiple Victims.

Special Allegation

PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

It is further alleged that [REDACTED] was under the age of 18 years at the time of the commission of the offense and this prosecution was commenced prior to [REDACTED] 40th birthday.

Count 20

On or between September 9, 2010 and March 26, 2012, in the County of San Luis Obispo, State of California, the crime of Forcible Oral Copulation-Minor Victim Over 14 Years in violation of PC288A(c)(2)(C), a Felony, was committed in that EDGAR NOLVERTO GUEVARA did unlawfully participate in an act of oral copulation with [REDACTED], who was a minor over the age of 14 years, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another, to wit: last time.

NOTICE: Conviction of this offense will require the court to order you to submit to a blood test for evidence of antibodies to the probable causative agent of Acquired Immune Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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Enhancement

PC667.61(b) and (e): Spec Alleg-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code section 667.61(b)and (e), as to defendant, EDGAR NOLVERTO GUEVARA, as to count 20 that the following circumstances apply: Multiple Victims.

Special Allegation

PC801.1(A): Spec Alleg-Minor Victim, Prosecution Commenced Before Age Of 40 Years

It is further alleged that [REDACTED] was under the age of 18 years at the time of the commission of the offense and this prosecution was commenced prior to [REDACTED] 40th birthday.

Prior

It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c), that defendant EDGAR NOLVERTO GUEVARA has suffered the following prior conviction of a serious and/or violent felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC 422 Criminal Threats	F			10-19-2001	F317041	San Luis Obispo Superior Court

Prior

It is further alleged, pursuant to Penal Code section 667(a), that defendant EDGAR NOLVERTO GUEVARA has suffered the following prior conviction of a serious felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
PC 422 Criminal Threats	F			10-19-2001	F317041	San Luis Obispo Superior Court

1 The People hereby give notice of the People's intent to admit evidence of prior sexual acts
2 pursuant to Evidence Code section 1108. These incidents include the prior incidents
3 described in the police report, chronological report, and/or tapes already provided, and
4 other alleged incidents of abuse, which will be provided as they are obtained by the
5 prosecution.

6
7 The People hereby give notice of the People's intent to admit evidence of prior acts of
8 domestic violence pursuant to Evidence Code section 1109. These incidents include the
9 prior incidents described in the police report, chronological report, and/or tapes already
10 provided, and other alleged incidents of abuse, which will be provided as they are obtained
11 by the prosecution.

12
13 The People hereby notify defendant and defense counsel that the People intend to
14 proceed under the provisions of Evidence Code section 1370 should the victim become
15 unavailable at the time of trial.

16
17
18 It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the
19 following factors in aggravation listed in California Rule of Court 4.421 may apply to the
20 defendant(s) or to conduct of the defendant(s):

21 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily
22 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

23 4.421(a)(2) The defendant was armed with or used a weapon at the time of the
24 commission of the crime.

25 4.421(a)(3) The victim was particularly vulnerable.

26 4.421(a)(4) The defendant induced others to participate in the commission of the crime
27 and occupied a position of leadership and dominance of other participants in its
28 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: November 28, 2023

4 DAN DOW
5 DISTRICT ATTORNEY

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7 

8 By: _____
9 DANIELLE E BAKER
10 DEPUTY DISTRICT ATTORNEY

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SUMMARY PAGE					
Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC288(a) PC667.61(b) and (e), PC801.1(A)	3-6-8 State Prison	Edgar Nolberto Guevara		
2	PC288(a) PC667.61(b) and (e), PC801.1(A)	3-6-8 State Prison	Edgar Nolberto Guevara		
3	PC288(a) PC667.61(b) and (e), PC801.1(A)	3-6-8 State Prison	Edgar Nolberto Guevara		
4	PC288(a) PC667.61(b) and (e), PC801.1(A)	3-6-8 State Prison	Edgar Nolberto Guevara		
5	PC288(a) PC667.61(b) and (e), PC801.1(A)	3-6-8 State Prison	Edgar Nolberto Guevara		
6	PC288(a) PC667.61(b) and (e), PC801.1(A)	3-6-8 State Prison	Edgar Nolberto Guevara		
7	PC288(a) PC667.61(b) and (e), PC801.1(A)	3-6-8 State Prison	Edgar Nolberto Guevara		
8	PC288(a) PC667.61(j)(2)	3-6-8 State Prison	Edgar Nolberto Guevara		
9	PC288(a) PC667.61(j)(2)	3-6-8 State Prison	Edgar Nolberto Guevara		
10	PC288(a) PC667.61(j)(2)	3-6-8 State Prison	Edgar Nolberto Guevara		
11	PC288(a) PC667.61(j)(2)	3-6-8 State Prison	Edgar Nolberto Guevara		
12	PC288(b)(1) PC667.61(j)(2)	5-8-10 State Prison	Edgar Nolberto Guevara		
13	PC288(b)(1) PC667.61(j)(2)	5-8-10 State Prison	Edgar Nolberto Guevara		
14	PC261(a)(2)	7-9-11 State Prison	Edgar Nolberto Guevara		

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	PC667.61(b) and (e), PC801.1(A)				
15	PC261(a)(2) PC667.61(b) and (e), PC801.1(A)	7-9-11 State Prison	Edgar Nolberto Guevara		
16	PC289(a)(1)(C) PC667.61(b) and (e), PC801.1(A)	6-8-10 State Prison	Edgar Nolberto Guevara		
17	PC289(a)(1)(C) PC667.61(b) and (e), PC801.1(A)	6-8-10 State Prison	Edgar Nolberto Guevara		
18	PC286(c)(2)(C) PC667.61(b) and (e), PC801.1(A)	7-9-11 State Prison	Edgar Nolberto Guevara		
19	PC288A(c)(2)(C) PC667.61(b) and (e), PC801.1(A)	6-8-10 State Prison	Edgar Nolberto Guevara		
20	PC288A(c)(2)(C) PC667.61(b) and (e), PC801.1(A)	6-8-10 State Prison	Edgar Nolberto Guevara		
	PC1170.12	Strike Prior	Edgar Nolberto Guevara		
	PC667(a)	+5 Yrs	Edgar Nolberto Guevara		
	EC1108	Not Applicable	Edgar Nolberto Guevara		
	EC1109 & EC1370	Not Applicable	Edgar Nolberto Guevara		