

**FILED**

**DEC 28 2023**

SAN LUIS OBISPO SUPERIOR COURT  
BY S. Gonzalez  
S. Gonzalez, Deputy Clerk

1 DAN DOW  
DISTRICT ATTORNEY  
2 STATE BAR # 237986  
COUNTY OF SAN LUIS OBISPO  
3 COURTHOUSE ANNEX, 4TH FLOOR  
SAN LUIS OBISPO, CA 93408  
4 TELEPHONE: (805) 781-5800

8 SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN LUIS OBISPO  
9 DEPARTMENT 8

11 THE PEOPLE OF THE STATE OF  
CALIFORNIA

12 Plaintiff,

COURT CASE NO. 23F-06427

SECOND AMENDED INFORMATION

13 vs.

14 JOHN ALLEN WEBB, JR  
DOB: 12/30/1988 ID NO. D000225794  
15 AKA RANDALL LEE HITE, CASEY JOHN  
WHITE

DA CASE NO. 079-689938

17 Defendant

Appearance Date: December 28, 2023

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

22 Count 1

23 On or about June 20, 2023, in the County of San Luis Obispo, State of California, the  
24 crime of Conspiracy To Commit A Crime in violation of PC182(a)(1), a Felony, was  
25 committed in that JOHN ALLEN WEBB JR did unlawfully conspire together and with  
26 another person and persons whose identity is unknown to commit the crime of Possession  
27 for Sale of a Controlled Substance, in violation of Section 11351 of the Health and Safety  
28 Code, a felony; that pursuant to and for the purpose of carrying out the objectives and

1 purposes of the aforesaid conspiracy, the said defendant committed the following overt act  
2 and acts at and in the County of San Luis Obispo:

3 1. On June 20, 2023, Defendant John Webb agreed via text message with Richard Bales  
4 to sell Fentanyl to "Shane" at the Chevron and McDonald's in Nipomo.

5 2. On June 20, 2023, Defendant John Webb messaged Richard Bales that he would leave  
6 the Fentanyl with "Abby."

7 3. On June 20, 2023, Richard Bales messaged Defendant John Webb that "Shane" will be  
8 in his Toyota Tundra with a latter rack.

9 4. On June 20, 2023, Abigail Muravez was in a Toyota truck with a latter rack when law  
10 enforcement was at the Chevron and McDonald's in Nipomo.

11 NOTICE: Conviction of a conspiracy to commit any serious felony within the meaning of  
12 Penal Code Section 1192.7(c) or any crime specified in Penal Code Section 290 will  
13 disqualify you from sentencing pursuant to Penal Code Section 1170(h).

14

15 **Count 2**

16 On or about June 20, 2023, in the County of San Luis Obispo, State of California, the  
17 crime of Possession Of A Controlled Substance With Firearm in violation of HS11370.1(a),  
18 a Felony, was committed in that JOHN ALLEN WEBB JR did unlawfully possess a drug  
19 while armed with a loaded, operable firearm, to wit: Smith & Wesson .40 Caliber Pistol.

20

21 **Count 3**

22 On or about June 20, 2023, in the County of San Luis Obispo, State of California, the  
23 crime of Possession Of Firearm By A Felon - Prior(S) in violation of PC29800(a)(1), a  
24 Felony, was committed in that JOHN ALLEN WEBB JR did unlawfully own, possess,  
25 purchase, receive, and have custody and control of a firearm, to wit, Smith & Wesson .40  
26 Caliber Pistol, the said defendant having theretofore been duly and legally convicted of a  
27 felony or felonies, to wit:

28

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
HS11378 Possession For Sale of Controlled Substance	F	08-15-16		12-22-16	16F-07727	CASC San Luis Obispo
Unlawful Possession Of Ammunition	F	03-21-17		07-20-17	17F-02370	CASC San Luis Obispo
Receiving Stolen Property	F	08-29-16		07-20-17	17F-02373	CASC San Luis Obispo
False Personation	F	03-08-19		05-22-19	19F-01807	CASC San Luis Obispo
Bringing Contraband Into The Jail/Prison	F	08-03-22	04-19-23		22F-07479-D	CASC San Luis Obispo
Possession For Sale Of A Controlled Substance	F	08-03-22	04-19-23		22F-07479-D	CASC San Luis Obispo

Count 4

On or about June 20, 2023, in the County of San Luis Obispo, State of California, the crime of Possession Of Ammunition in violation of PC30305(a)(1), a Felony, was committed in that JOHN ALLEN WEBB JR did unlawfully own, possess and have under control ammunition and reloaded ammunition. It is further alleged that the defendant is prohibited from owning or possessing a firearm pursuant to Chapter 2 and 3 of Division 9 and sections 8100 and 8103 of the Welfare and Institutions Code, having been previously convicted of the following offense(s):

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
HS11378 Possession For Sale of Controlled Substance	F	08-15-16		12-22-16	16F-07727	CASC San Luis Obispo
Unlawful Possession Of Ammunition	F	03-21-17		07-20-17	17F-02370	CASC San Luis Obispo
Receiving Stolen Property	F	08-29-16		07-20-17	17F-02373	CASC San Luis Obispo
False Personation	F	03-08-19		05-22-19	19F-01807	CASC San Luis Obispo
Bringing Contraband Into The Jail/Prison	F	08-03-22	04-19-23		22F-07479-D	CASC San Luis Obispo
Possession For Sale Of A Controlled Substance	F	08-03-22	04-19-23		22F-07479-D	CASC San Luis Obispo

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Count 5

On or about June 20, 2023, in the County of San Luis Obispo, State of California, the crime of Giving False Information To A Police Officer in violation of PC148.9(a), a Misdemeanor, was committed in that JOHN ALLEN WEBB JR did unlawfully falsely represent and identify himself/herself as another person and as a fictitious person to a police officer, upon a lawful detention and arrest, in order to evade the process of the court and to evade the proper identification of the person by the Investigating Officer.

Count 6

On or about June 21, 2023, in the County of San Luis Obispo, State of California, the crime of Possession Of Contraband In The Jail in violation of PC4573.6(a), a Felony, was committed in that JOHN ALLEN WEBB JR did unlawfully and knowingly possess Fentanyl while in San Luis Obispo County Jail, said defendant not being then and there authorized to possess said Fentanyl by the rules of San Luis Obispo County Jail, and said defendant not being then and there specifically authorized by the jailer and other person in charge of said county jail to possess said Fentanyl.

Enhancement

It is further alleged as to Counts 1 through 4 that at the time of the commission of the above offense, the defendant, JOHN ALLEN WEBB JR, was released from custody on bail or Own Recognizance in Case Number 22F-07479-D pending in the County of San Luis Obispo, State of California, within the meaning of Penal Code section 12022.1.

Count 7

On or about March 18, 2023, in the County of San Luis Obispo, State of California, the crime of Possession Of Contraband In The Jail in violation of PC4573.6(a), a Felony, was committed in that JOHN ALLEN WEBB JR did unlawfully and knowingly possess methamphetamine while in San Luis Obispo County Jail, said defendant not being then and there authorized to possess said methamphetamine by the rules of San Luis Obispo

1 County Jail, and said defendant not being then and there specifically authorized by the  
2 jailer and other person in charge of said county jail to possess said methamphetamine.

3  
4 It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the  
5 following factors in aggravation listed in California Rule of Court 4.421 may apply to the  
6 defendant(s) or to conduct of the defendant(s):

7 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily  
8 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

9 4.421(a)(2) The defendant was armed with or used a weapon at the time of the  
10 commission of the crime.

11 4.421(a)(3) The victim was particularly vulnerable.

12 4.421(a)(4) The defendant induced others to participate in the commission of the crime  
13 and occupied a position of leadership and dominance of other participants in its  
14 commission.

15 4.421(a)(5) The defendant induced a minor to commit and assist in the commission of the  
16 crime.

17 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded  
18 witnesses from testifying, suborned perjury, and in any other way illegally interfered with  
19 the judicial process.

20 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences  
21 can be imposed but for which concurrent sentences shall be imposed.

22 4.421(a)(8) The manner in which the crime was carried out indicates planning,  
23 sophistication, and professionalism.

24 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary  
25 value.

26 4.421(a)(10) The crime involved a large quantity of contraband.

27 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit  
28 the offense.

1 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code  
2 and no hate crime enhancements under section 422.75 of the Penal Code shall be  
3 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal  
4 Code.

5 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger  
6 to society.

7 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in  
8 juvenile delinquency proceedings are numerous and of increasing seriousness.

9 4.421(b)(3) The defendant has served a prior term in prison and county jail under section  
10 1170(h).

11 4.421(b)(4) The defendant was on probation, mandatory supervision, post release  
12 community supervision, and parole when the crime was committed.

13 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post  
14 release community supervision, and parole was unsatisfactory.

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Contrary to the form, force and effect of that statute in such cases made and provided and against the peace and dignity of the people of the State of California.

Dated: December 28, 2023

DAN DOW  
DISTRICT ATTORNEY

By:



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JERRY N. LULEJIAN  
DEPUTY DISTRICT ATTORNEY

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SUMMARY PAGE					
Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC182(a)(1)	Check Code	John Allen Webb Jr		
2	HS11370.1(a)	2-3-4 State Prison	John Allen Webb Jr		
3	PC29800(a)(1)	16-2-3	John Allen Webb Jr		
4	PC30305(a)(1)		John Allen Webb Jr		
5	PC148.9(a)	6 Mo.	John Allen Webb Jr		
6	PC4573.6(a)	2-3-4	John Allen Webb Jr		
7	PC4573.6(a)	2-3-4	John Allen Webb JR		
	PC12022.1	+2 Yrs	John Allen Webb Jr		