

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

SAN LUIS OBISPO SUPERIOR COURT

By: S. Pudas,
Deputy Clerk

DV Case
 BOOKING REQ

In Custody

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN LUIS OBISPO

11 THE PEOPLE OF THE STATE OF CALIFORNIA
12 Plaintiff,

COURT CASE NO. 24F-06368

13 vs.

14 **ANDREW FREDERICK RODRIGUEZ**
15 DOB: 11/22/1989
16 ID NO. D000438417
17 CII: A30490655

DA CASE NO. 079-704955

18 Defendant.

Appearance Date:

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

22 Count 1

23 On or about September 11, 2024, in the County of San Luis Obispo, State of California, the
24 crime of Murder in violation of PC187(a), a Felony, was committed in that ANDREW
25 FREDERICK RODRIGUEZ did unlawfully, and with malice aforethought murder J.C.P., a
26 human being.

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)

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COMPLAINT
DA CASE NO. 079-704955

1 Enhancement

2 PC12022(b)(1): Spec Alleg-Use Of Deadly Weapon

3 It is further alleged as to Count 1 that in the commission and attempted commission of the
4 above offense, the said defendant, ANDREW FREDERICK RODRIGUEZ, personally used a
5 deadly and dangerous weapon(s), to wit, stabbing instrument or knife, said use not being an
6 element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and
7 causing the above offense to be a serious felony within the meaning of Penal Code section
8 1192.7(c)(23).

9 Prior

10 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code
11 sections 1170.12(b) and (c), that defendant ANDREW FREDERICK RODRIGUEZ has
12 suffered the following prior conviction of a serious and/or violent felony:

13 Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
14 Ca Penal Code Section 261(a)(4)	F	09-17-2009	07-22-2010	07-22-2010	2009034114	Ventura

15 Prior

16 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code
17 sections 1170.12(b) and (c), that defendant ANDREW FREDERICK RODRIGUEZ has
18 suffered the following prior conviction of a serious and/or violent felony:

19 Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
20 Ca Penal Code Section 289(d)	F	09-17-2009	07-22-2010	07-22-2010	2009034114	Ventura

21 Prior

22 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code
23 sections 1170.12(b) and (c), that defendant ANDREW FREDERICK RODRIGUEZ has
24 suffered the following prior conviction of a serious and/or violent felony:

25 Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
26 Ca Penal Code Section 459	F	09-17-2009	07-22-2010	07-22-2010	2009034114	Ventura

Prior

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

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
Ca Penal Code Section 261(a)(4)	F	09-17-2009	07-22-2010	07-22-2010	2009034114	Ventura

Prior

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

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
Ca Penal Code Section 289(d)	F	09-17-2009	07-22-2010	07-22-2010	2009034114	Ventura

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

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

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

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

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

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

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

1 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences
2 can be imposed but for which concurrent sentences shall be imposed.

3 4.421(a)(8) The manner in which the crime was carried out indicates planning,
4 sophistication, and professionalism.

5 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary
6 value.

7 4.421(a)(10) The crime involved a large quantity of contraband.

8 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit
9 the offense.

10 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code and
11 no hate crime enhancements under section 422.75 of the Penal Code shall be imposed and
12 the crime is not subject to sentencing under section 1170.8 of the Penal Code.

13 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger to
14 society.

15 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in juvenile
16 delinquency proceedings are numerous and of increasing seriousness.

17 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
18 1170(h).

19 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
20 community supervision, and parole when the crime was committed.

21 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
22 release community supervision, and parole was unsatisfactory.

1 All of which is contrary to the statute in such cases made and provided, and against the
2 peace and dignity of the People of the State of California.

3 I declare that an investigation has been conducted to determine if said Defendant(s)
4 did commit the stated crime, which reports are attached hereto and incorporated herein by
5 reference, and that the facts therein show probable cause that the said Defendant(s) did
6 commit the crime. Your declarant requests the issuance of a Warrant of Arrest either if said
7 Defendant(s) do not appear voluntarily in response to an appearance letter, or if no
8 appearance letter was issued.

9 **Discovery Request:** Pursuant to Penal Code Section 1054.5(b), the People are
10 hereby informally requesting that defense counsel provide discovery to the people as
11 required by Penal Code Section 1054.3.

12 On this day September 17, 2024, in the County of San Luis Obispo, I certify and
13 declare under penalty of perjury that the foregoing is true and correct.

14 Dated: September 17, 2024

15 DAN DOW
16 DISTRICT ATTORNEY

17
18
19 By: 
20 ERIC DOBROTH
21 ASSISTANT DISTRICT ATTORNEY

22 Upon review of the reports attached and incorporated herein by reference, I find sufficient
23 probable cause to warrant the defendant(s) continued detention.

24 Dated: _____
25 _____
26 Judge of the Superior Court

SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC187(a) PC12022(b)(1)		Andrew Frederick Rodriguez		
	PC1170.12		Andrew Frederick Rodriguez		
	PC1170.12		Andrew Frederick Rodriguez		
	PC1170.12		Andrew Frederick Rodriguez		
	PC667(a)		Andrew Frederick Rodriguez		
	PC667(a)		Andrew Frederick Rodriguez		

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