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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

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
DEPARTMENT 9

THE PEOPLE OF THE STATE OF
CALIFORNIA
Plaintiff,

vs.

JOHN PATRIC MONTGOMERY
DOB: 04/18/1962
ID NO. D000078356
CII: A06854856

Defendant.

COURT CASE NO. 24F-01474
INFORMATION

DA CASE NO. 079-698394

Appearance Date: April 10, 2024

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

Count 1

On or about March 6, 2024, in the County of San Luis Obispo, State of California, the
crime of Possession For Sale Of A Controlled Substance in violation of HS11378, a
Felony, was committed in that JOHN PATRIC MONTGOMERY did unlawfully possess for
purpose of sale a controlled substance, to wit, methamphetamine.

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Count 2

On or about March 6, 2024, in the County of San Luis Obispo, State of California, the crime of Trespass/Refuse To Leave Real Property in violation of PC602(O)(1), a Misdemeanor, was committed in that JOHN PATRIC MONTGOMERY did unlawfully commit a trespass by refusing and failing to leave land, real property, and structures belonging to and lawfully occupied by another and not open to the general public, upon being requested to leave by a peace officer at the request of the owner, the owner's agent and the person in lawful possession and upon being informed by the peace officer that he or she is acting at the request of the owner, the owner's agent and the person in lawful possession.

Count 3

On or about March 4, 2024, in the County of San Luis Obispo, State of California, the crime of Trespass/Refuse To Leave Real Property in violation of PC602(O)(1), a Misdemeanor, was committed in that JOHN PATRIC MONTGOMERY did unlawfully commit a trespass by refusing and failing to leave land, real property, and structures belonging to and lawfully occupied by another and not open to the general public, upon being requested to leave by a peace officer at the request of the owner, the owner's agent and the person in lawful possession and upon being informed by the peace officer that he or she is acting at the request of the owner, the owner's agent and the person in lawful possession.

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.

- 1 4.421(a)(4) The defendant induced others to participate in the commission of the crime
2 and occupied a position of leadership and dominance of other participants in its
3 commission.
- 4 4.421(a)(5) The defendant induced a minor to commit and assist in the commission of the
5 crime.
- 6 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded
7 witnesses from testifying, suborned perjury, and in any other way illegally interfered with
8 the judicial process.
- 9 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences
10 can be imposed but for which concurrent sentences shall be imposed.
- 11 4.421(a)(8) The manner in which the crime was carried out indicates planning,
12 sophistication, and professionalism.
- 13 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary
14 value.
- 15 4.421(a)(10) The crime involved a large quantity of contraband.
- 16 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit
17 the offense.
- 18 4.421(a)(12) The crime constitutes a hate crime under section 422.55 of the Penal Code
19 and no hate crime enhancements under section 422.75 of the Penal Code shall be
20 imposed and the crime is not subject to sentencing under section 1170.8 of the Penal
21 Code.
- 22 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
23 to society.
- 24 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
25 juvenile delinquency proceedings are numerous and of increasing seriousness.
- 26 4.421(b)(3) The defendant has served a prior term in prison and county jail under section
27 1170(h).
- 28

1 4.421(b)(4) The defendant was on probation, mandatory supervision, post release
2 community supervision, and parole when the crime was committed.

3 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
4 release community supervision, and parole was unsatisfactory.

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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: March 18, 2024

4 DAN DOW
5 DISTRICT ATTORNEY

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8 By: _____
9 JULIE ANTOS
10 DEPUTY DISTRICT ATTORNEY

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SUMMARY PAGE

| Cnt | Charge | Range | Defendant(s) | Special Allegation | Effect |
|-----|-------------|-------|------------------------|--------------------|--------|
| 1 | HS11378 | | John Patric Montgomery | | |
| 2 | PC602(O)(1) | | John Patric Montgomery | | |
| 3 | PC602(O)(1) | | John Patric Montgomery | | |