

1 DAN DOW
DISTRICT ATTORNEY
2 STATE BAR # 237986
COUNTY OF SAN LUIS OBISPO
3 COURTHOUSE ANNEX, 4TH FLOOR
SAN LUIS OBISPO, CA 93408
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FILED
AUG 25 2021

SAN LUIS OBISPO SUPERIOR COURT
BY K. Phillips
K. Phillips, Deputy Clerk

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
DEPARTMENT 1

THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

vs.

MATTHEW LEROY EHENS
DOB: 10/11/1982 ID NO. D000209944
AKA MATTHEW LEE EHENS, MATTHEW
LEROY EHENS

Defendant.

COURT CASE NO. 19F-05786
AMENDED INFORMATION

DA CASE NO. 079-642907

Appearance Date: August 25, 2021

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

Count 1

On or about August 2, 2019, in the County of San Luis Obispo, State of California, the crime of Attempted Willful, Deliberate, And Premeditated Murder in violation of PC664/PC187(a), a Felony, was committed in that MATTHEW LEROY EHENS did unlawfully and with malice aforethought attempt to murder Mary Imogene Ehens (DOB = 5-12-40), a human being. It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code

1 section 189 and is a serious felony pursuant to Penal Code section 1192.7(c)(9).

2 NOTICE: The above offense is a violent felony within the meaning of Penal Code Section
3 667.5(c)(12).

4 Enhancement

5 PC12022.7(c): Spec Alleg- Gbi - Elderly Victim

6 It is further alleged pursuant to Penal Code section 12022.7(c) as to Count 1 that in the
7 commission of the above offense the said defendant, MATTHEW LEROY EHENS,
8 personally inflicted great bodily injury upon Mary Imogene Ehens, not an accomplice, who
9 was 70 years of age and older.

10 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal
11 Code sections 1192.7(c)(8) and 667.5(c)(8)

12 Enhancement

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

14 It is further alleged as to Count 1 that in the attempted commission of the above offense,
15 the said defendant, MATTHEW LEROY EHENS, personally used a deadly or dangerous
16 weapon(s), to wit, a knife, said use not being an element of the above offense, within the
17 meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a
18 serious felony within the meaning of Penal Code section 1192.7(c)(23).

19 Count 2

20 On or about August 2, 2019, in the County of San Luis Obispo, State of California, the
21 crime of Aggravated Mayhem in violation of PC205, a Felony, was committed in that
22 MATTHEW LEROY EHENS did unlawfully and under circumstances manifesting extreme
23 indifference to the physical or psychological well being of another, intentionally cause
24 permanent disability or disfigurement or deprivation of a limb, organ or part of the body of
25 Mary Imogene Ehens.

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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Count 3

On or about August 2, 2019, in the County of San Luis Obispo, State of California, the crime of Torture in violation of PC206, a Felony, was committed in that MATTHEW LEROY EHENS did unlawfully and with the intent to cause cruel and extreme pain and suffering for the purpose of revenge, extortion, persuasion and for a sadistic purpose, inflict great bodily injury, as defined in Penal Code section 12022.7, upon Mary Imogene Ehens.

Enhancement

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

It is further alleged as to Count 3 that in the commission and attempted commission of the above offense, the said defendant, MATTHEW LEROY EHENS, personally used a deadly and dangerous weapon(s), to wit, knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

Count 4

On or about August 2, 2019, in the County of San Luis Obispo, State of California, the crime of Elder Or Dependent Adult Abuse, Infliction Of Injury in violation of PC368(b)(1), a Felony, was committed in that MATTHEW LEROY EHENS did, under circumstances and conditions likely to produce great bodily harm and death, knowingly and willfully cause and permit the victim, Mary Imogene Ehens (DOB = 5-12-1940), an elder adult, to suffer, or inflicted thereon, unjustifiable physical pain or mental suffering or, having the care and custody of said victim, willfully caused or permitted her to be placed in a situation in which her health was endangered, and reasonably knew or reasonably should have known that said person, Mary Imogene Ehens, was an elder adult. It is further alleged, pursuant to section 368(b)(2), that said victim suffered great bodily injury.

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Enhancement

PC12022.7(c): Spec Alleg- Gbi - Elderly Victim

It is further alleged pursuant to Penal Code section 12022.7(c) as to Count 4 that in the commission of the above offense the said defendant, MATTHEW LEROY EHENS, personally inflicted great bodily injury upon Mary Imogene Ehens, not an accomplice, who was 70 years of age and older.

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

NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)

Enhancement

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

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

Count 5

On or about August 2, 2019, in the County of San Luis Obispo, State of California, the crime of Evading An Officer, Willful Disregard in violation of VC2800.2(a), a Felony, was committed in that MATTHEW LEROY EHENS did willfully and unlawfully, while operating a motor vehicle and with the intent to evade, flee and otherwise attempt to elude a pursuing peace officer's motor vehicle while all of the following conditions existed: the peace officer's motor vehicle exhibited at least one lighted red lamp visible from the front and the defendant saw and reasonably should have seen the lamp, the peace officer's motor vehicle was sounding its siren as was reasonably necessary, the peace officer's motor vehicle was distinctively marked, the peace officer's motor vehicle was operated by a

1 peace officer. It is further alleged that the defendant drove with a willful wanton disregard
2 for the safety of persons and property.

3 Count 6

4 On or about August 2, 2019, in the County of San Luis Obispo, State of California, the
5 crime of Assault With A Deadly Weapon in violation of PC245(a)(1), a Felony, was
6 committed in that MATTHEW LEROY EHENS did willfully and unlawfully commit an
7 assault upon Mary Imogene Ehens with a deadly weapon, to wit, knife.

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

10 Enhancement

11 PC12022.7(c): Spec Alleg- Gbi - Elderly Victim

12 It is further alleged pursuant to Penal Code section 12022.7(c) as to count 6 that in the
13 commission of the above offense the said defendant, MATTHEW LEROY EHENS,
14 personally inflicted great bodily injury upon Mary Imogene Ehens, not an accomplice, who
15 was 70 years of age and older.

16 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
17 1192.7(c).

18 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal
19 Code sections 1192.7(c)(8) and 667.5(c)(8)

20 Count 7

21 On or about August 2, 2019, in the County of San Luis Obispo, State of California, the
22 crime of Battery With Serious Bodily Injury in violation of PC243(d), a Felony, was
23 committed in that MATTHEW LEROY EHENS did willfully and unlawfully use force and
24 violence upon the person of Mary Imogene Ehens, resulting in the infliction of serious
25 bodily injury on such person.

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

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Enhancement

PC12022.7(c): Spec Alleg- Gbi - Elderly Victim

It is further alleged pursuant to Penal Code section 12022.7(c) as to count 7 that in the commission of the above offense the said defendant, MATTHEW LEROY EHENS, personally inflicted great bodily injury upon Mary Imogene Ehens, not an accomplice, who was 70 years of age and older.

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

NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8)

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: August 25, 2021

4 DAN DOW
5 DISTRICT ATTORNEY

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8 By: _____
9 KRISTIN L BARNARD
10 DEPUTY DISTRICT ATTORNEY

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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC664/PC187(a) PC12022.7(c). PC12022(b)(1)	LIFE State Prison	Matthew Leroy Ehens		
2	PC205	LIFE State Prison	Matthew Leroy Ehens		
3	PC206 PC12022(b)(1)	LIFE State Prison	Matthew Leroy Ehens		
4	PC368(b)(1) PC12022.7(c). PC12022(b)(1)	2-3-4 +3 or +5 State Prison	Matthew Leroy Ehens		
5	VC2800.2(a)	16-2-3 State Prison	Matthew Leroy Ehens		
6	PC245(a)(1) PC12022.7(c)	2-3-4 State Prison	Matthew Leroy Ehens		
7	PC243(d) PC12022.7(c)	2-3-4 State Prison	Matthew Leroy Ehens		