FILED

DEC 28 2020

Reavey, Deputy Co

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

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CALIFORNIA

**ANTONIO ROJASORTIZ** 

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VS.

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SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN LUIS OBISPO **DEPARTMENT 5** 

THE PEOPLE OF THE STATE OF

Plaintiff,

DOB: 01/12/1974 ID NO. D000441205 AKA ANTONIO ROJAORTIZ

Defendant.

COURT CASE NO. 20F-03394

INFORMATION

**DA CASE NO. 079-653257** 

Appearance Date: December 28. 2020

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

#### Count 1

On or between January 8, 2011 and January 7, 2016, in the County of San Luis Obispo, State of California, the crime of Sex/Sodomy With A Child Under 10 in violation of PC288.7(a), a Felony, was committed in that being a person 18 years of age and older, did engage in sexual intercourse and sodomy with Confidential Victim, a child 10 years of age and younger.

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

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1	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
2	test for evidence of antibodies to the probable causative agent of Acquired Immune
3	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
4	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
5	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
6	NOTICE: The above offense is a serious felony within the meaning of Penal Code section
7	1192.7(c).
8	Count 2
9	On or between January 8, 2011 and January 7, 2016, in the County of San Luis Obispo,
10	State of California, the crime of Oral Copulation/Sexual Penetration With A Child Under 10
11	in violation of PC288.7(b), a Felony, was committed in that ANTONIO ROJAORTIZ, being
12	a person 18 years of age and older, did engage in oral copulation and sexual penetration,
13	as defined in Penal Code Section 289, with Confidential Victim, a child who was 10 years
14	of age and younger: to wit, victim's mouth to Defendant's penis, first time.
15	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
16	test for evidence of antibodies to the probable causative agent of Acquired Immune
17	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
18	NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
19	section 290. Willful failure to register is a crime.
20	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
21	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
22	NOTICE: The above offense is a serious felony within the meaning of Penal Code section
23	1192.7(c).
24	Count 3
25	On or between January 8, 2011 and January 7, 2016, in the County of San Luis Obispo,
26	State of California, the crime of Oral Copulation/Sexual Penetration With A Child Under 10
27	in violation of PC288.7(b), a Felony, was committed in that ANTONIO ROJAORTIZ, being
28	a person 18 years of age and older, did engage in oral copulation and sexual penetration,

INFORMATION

as defined in Penal Code Section 289, with Confidential Victim, a child who of age and younger: to wit, victim's mouth to Defendant's penis, last time.  NOTICE: Conviction of this offense will require the court to order you to substant test for evidence of antibodies to the probable causative agent of Acquired Deficiency Syndrome (AIDS). Penal Code Section 1202.1.  NOTICE: Conviction of this offense will require you to register pursuant to Figure 290. Willful failure to register is a crime.	bmit to a blood Immune Penal Code al Code Section 67.5(c)
NOTICE: Conviction of this offense will require the court to order you to subtest for evidence of antibodies to the probable causative agent of Acquired Deficiency Syndrome (AIDS). Penal Code Section 1202.1.  NOTICE: Conviction of this offense will require you to register pursuant to F	Immune Penal Code al Code Section 67.5(c)
test for evidence of antibodies to the probable causative agent of Acquired Deficiency Syndrome (AIDS). Penal Code Section 1202.1. NOTICE: Conviction of this offense will require you to register pursuant to F	Immune Penal Code al Code Section 67.5(c)
Deficiency Syndrome (AIDS). Penal Code Section 1202.1.  NOTICE: Conviction of this offense will require you to register pursuant to F	Penal Code al Code Section 67.5(c)
6 NOTICE: Conviction of this offense will require you to register pursuant to F	al Code Section 67.5(c)
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7 section 290. Willful failure to register is a crime.	67.5(c)
	67.5(c)
8 NOTICE: The above offense is a serious felony within the meaning of Pena	, ,
9 1192.7(c) and a violent felony within the meaning of Penal Code Section 66	al Code section
NOTICE: The above offense is a serious felony within the meaning of Pena	
11 1192.7(c).	
Count 4	
On or between January 8, 2011 and January 7, 2016, in the County of San	Luis Obispo,
State of California, the crime of Oral Copulation/Sexual Penetration With A	Child Under 10
in violation of PC288.7(b), a Felony, was committed in that ANTONIO ROJ	AORTIZ, being
a person 18 years of age and older, did engage in oral copulation and sexu	ual penetration,
as defined in Penal Code Section 289, with Confidential Victim, a child who	was 10 years
of age and younger: to wit, Defendant's mouth to victim's vagina, first time.	
NOTICE: Conviction of this offense will require the court to order you to sub	bmit 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 F	Penal Code
section 290. Willful failure to register is a crime.	
NOTICE: The above offense is a serious felony within the meaning of Pena	al Code Section
25 1192.7(c) and a violent felony within the meaning of Penal Code Section 66	67.5(c)
NOTICE: The above offense is a serious felony within the meaning of Pena	al Code section
27 1192.7(c).	
Count 5 PAGE - 3 -	
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section 290. Willful failure to register is a crime.

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## Count 8

On or between January 8, 2011 and January 7, 2019, in the County of San Luis Obispo, State of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a Felony, was committed in that ANTONIO ROJASORTIZ did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Confidential Victim, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant and the said child, by use of force, violence, duress, menace, and threat of great bodily harm, to wit: mouth to vagina, first time.

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

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

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.

#### Count 9

On or between January 8, 2011 and January 7, 2019, in the County of San Luis Obispo, State of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a Felony, was committed in that ANTONIO ROJASORTIZ did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of Confidential Victim, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said

1	defendant and the said child, by use of force, violence, duress, menace, and threat of
2	great bodily harm, to wit: mouth to vagina, last time.
3	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
4	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(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: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
8	Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
9	11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
10	obtain a copy of the report.
11	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
12	test for evidence of antibodies to the probable causative agent of Acquired Immune
13	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
14	Count 10
15	On or between January 8, 2011 and January 7, 2019, in the County of San Luis Obispo,
16	State of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1),
17	Felony, was committed in that ANTONIO ROJASORTIZ did willfully, unlawfully, and lewdly
18	commit a lewd and lascivious act upon and with the body and certain parts and members
19	thereof of Confidential Victim, 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, to wit: mouth to penis first 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 PAGE - 7 -

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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	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
4	test for evidence of antibodies to the probable causative agent of Acquired Immune
5	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
6	Count 11
7	On or between January 8, 2011 and January 7, 2019, in the County of San Luis Obispo,
8	State of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a
9	Felony, was committed in that ANTONIO ROJASORTIZ did willfully, unlawfully, and lewdly
1.0	commit a lewd and lascivious act upon and with the body and certain parts and members
11	thereof of Confidential Victim, a child under the age of fourteen years, with the intent of
12	arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
13	defendant and the said child, by use of force, violence, duress, menace, and threat of
14	great bodily harm, to wit: mouth to penis, last time.
15	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
16	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
17	NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
18	section 290. Willful failure to register is a crime.
19	NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
20	Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
21	11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
22	obtain a copy of the report.
23	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
24	test for evidence of antibodies to the probable causative agent of Acquired Immune
25	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
26	Count 12
27	On or about January 8, 2011 to January 7 2019, in the County of San Luis Obispo, State of
28	California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a Felony, PAGE - 8 -
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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	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
4	test for evidence of antibodies to the probable causative agent of Acquired Immune
5	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
6	Count 15
7	On or about January 8, 2011, to January 7, 2019, in the County of San Luis Obispo, State
8	of California, the crime of Forcible Lewd Act Upon Child in violation of PC288(b)(1), a
9	Felony, was committed in that ANTONIO ROJASORTIZ did willfully, unlawfully, and lewdly
10	commit a lewd and lascivious act upon and with the body and certain parts and members
11	thereof of Confidential Victim, a child under the age of fourteen years, with the intent of
12	arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said
13	defendant and the said child, by use of force, violence, duress, menace, and threat of
14	great bodily harm, to wit: touched breasts, last time.
1.5	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
16	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
17	NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
18	section 290. Willful failure to register is a crime.
19	NOTICE: Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse
20	Report (SCAR) may have been generated in this case. Penal Code Section 11167 and
21	11167.5 limit access to a SCAR. A protective order issued by a court is necessary to
22	obtain a copy of the report.
23	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
24	test for evidence of antibodies to the probable causative agent of Acquired Immune
25	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
26	Count 16
27	On or about January 8, 2019 to May 29, 2020, in the County of San Luis Obispo, State of
28	California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was  PAGE - 11 -
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committed in that ANTONIO ROJASORTIZ did willfully, unlawfully and lewdly commit a lewd and lascivious act upon and with the body of Confidential Victim, who was 14 and 15 years old, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the defendant, who was at least 10 years older than Confidential Victim, to wit: hand to vagina.

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.

# Count 17

On or about January 8, 2019 to May 29, 2020, in the County of San Luis Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was committed in that ANTONIO ROJASORTIZ did willfully, unlawfully and lewdly commit a lewd and lascivious act upon and with the body of Confidential Victim, who was 14 and 15 years old, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the defendant, who was at least 10 years older than Confidential Victim; to wit; penis to vagina.

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.

## Count 18

On or about January 8, 2019 to May 29, 2020, in the County of San Luis Obispo, State of California, the crime of Lewd Act Upon A Child in violation of PC288(c)(1), a Felony, was committed in that ANTONIO ROJASORTIZ did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body of Confidential Victim, who was 14 and 15 years old, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the defendant, who was at least 10 years older than Confidential Victim; to wit, mouth to vagina.

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.

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 17, 2020 DAN DOW DISTRICT ATTORNEY DEPUTY DISTRICT ATTORNEY 

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