1 2 3 4 5 6 7	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	MAY 2 2 2019 SAN LUIS ODISPO SUPERIOR COURT BY J. Heinze, Deputy Clark
8 9	SUPERIOR COURT C COUNTY OF SAN L DEPARTME	UIS OBISPO
10 11 12	THE PEOPLE OF THE STATE OF CALIFORNIA Plaintiff,	COURT CASE NO. 18F-07263 AMENDED INFORMATION
13 14 15	vs. ARTHUR TIOFILO ROCHA DOB: 06/22/1978 ID NO. D000199245 AKA ARTHUR TIOFILO ROCHA	DA CASE NO. 079-629437
16 17 18	Defendant.	Appearance Date:June 5, 2019
19	The District Attorney of the San Luis Obis	po County, California, hereby accuses the
20	above named defendant of the following criminal	offenses:
21	Count	1
22	On or about July 13, 2018, in the County of San	
23	of Assault To Commit A Felony During The Com	
24 25	violation of PC220(b), a Felony, was committed i during the commission of a first degree burglary	
25 26	commit rape, sodomy, oral copulation and a viola	
27	NOTICE: Conviction of this offense will require y	
28	section 290. Willful failure to register is a crime. PAGE -	
	AMENDED INFO	

1	NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).
2	NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
3	HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
4	the jail or prison facility where you are incarcerated pursuant to Penal Code Section
5	1524.1 and Health and Safety Code section 121055 following a probable cause hearing
6	resulting in a court order.
7	Enhancement 1
8	PC12022.3(a): Spec Alleg-Use Of Deadly Weapon-Sex Offense
9	It is further alleged as to count 1 that in the commission of the above offense the
10	defendant, ARTHUR TIOFILO ROCHA, used a firearm and deadly weapon, to wit, Knife,
11	within the meaning of Penal Code section 12022.3(a) and also causing the above offense
12	to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).
13	Count 2
14	On or about July 13, 2018, in the County of San Luis Obispo, State of California, the crime
15	of First Degree Burglary, Person Present in violation of PC459, a Felony, was committed in
16	that ARTHUR TIOFILO ROCHA did enter an inhabited dwelling house and trailer coach
17	and inhabited portion of a building occupied by second building , with the intent to commit larceny
18	and any felony.
19	It is further alleged that the above offense is a violent felony within the meaning of Penal
20	Code 667.5(c) in that another person, other than an accomplice, was present in the
21	residence during the commission of the above offense.
22	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
23	1192.7(c). It is further alleged that the above offense is a violation of Penal Code
24	Section 462(a).
25	
26	
27	
28	
	PAGE - 2 - AMENDED INFORMATION

`.....

1	Count 3
2	On or about July 13, 2018, in the County of San Luis Obispo, State of California, the crime
3	of Assault With A Deadly Weapon in violation of PC245(a)(1), a Felony, was committed in
4	that ARTHUR TIOFILO ROCHA did willfully and unlawfully commit an assault upon
5	with a deadly weapon, to wit, Knife.
6	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
7	1192.7(c).
8	Count 4
9	On or about July 13, 2018, in the County of San Luis Obispo, State of California, the crime
10	of Assault With A Deadly Weapon in violation of PC245(a)(1), a Felony, was committed in
11	that ARTHUR TIOFILO ROCHA did willfully and unlawfully commit an assault upon
12	with a deadly weapon, to wit, Knife.
13	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
14	1192.7(c).
15	Count 5
16	On or about July 13, 2018, in the County of San Luis Obispo, State of California, the crime
17	of Criminal Threats in violation of PC422(a), a Felony, was committed in that ARTHUR
18	TIOFILO ROCHA did willfully and unlawfully threaten to commit a crime which would result
19	in death and great bodily injury to sector and an an and an and an and an and an and an
20	be taken as a threat. It is further alleged that the threatened crime, on its face and
21	under the circumstances in which it was made, was so unequivocal, unconditional,
22	immediate and specific as to convey to
23	immediate prospect of execution. It is further alleged that the said
24	reasonably in sustained fear of his/her safety and the safety of his/her immediate family.
25	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
26	1192.7(c)
27	
28	PAGE - 3 -
	AMENDED INFORMATION

1	Enhancement Z
2	PC12022(b)(1): Spec Alleg-Use Of Deadly Weapon
3	It is further alleged as to count 5 that in the commission and attempted commission of the
4	above offense, the said defendant, ARTHUR TIOFILO ROCHA, personally used a deadly
5	and dangerous weapon(s), to wit, Knife, said use not being an element of the above
6	offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above
7	offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).
8	Count 6
9	On or about July 13, 2018, in the County of San Luis Obispo, State of California, the crime
10	of Criminal Threats in violation of PC422(a), a Felony, was committed in that ARTHUR
11	TIOFILO ROCHA did willfully and unlawfully threaten to commit a crime which would result
12	in death and great bodily injury to sectors , with the specific intent that the statement be
13	taken as a threat. It is further alleged that the threatened crime, on its face and under
14	the circumstances in which it was made, was so unequivocal, unconditional, immediate
15	and specific as to convey to second and an an immediate prospect of
16	execution. It is further alleged that the said security was reasonably in sustained fear
17	of his/her safety and the safety of his/her immediate family.
18	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
19	1192.7(c)
20	Enhancement 3
21	PC12022(b)(1): Spec Alleg-Use Of Deadly Weapon
22	It is further alleged as to count 6 that in the commission and attempted commission of the
23	above offense, the said defendant, ARTHUR TIOFILO ROCHA, personally used a deadly
24	and dangerous weapon(s), to wit, Knife, said use not being an element of the above
25	offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above
26	offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).
27	
28	PAGE - 4 -
	AMENDED INFORMATION

1	Count 7
2	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
3	of Sexual Penetration By Foreign Object in violation of PC289(a)(1)(A), a Felony, was
4	committed in that ARTHUR TIOFILO ROCHA committed an act of sexual penetration
5	against the will of the second by means of force, violence, duress, menace and fear of
6	immediate and unlawful bodily injury on second and another person .
7	NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
8	section 290. Willful failure to register is a crime.
9	NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
10	HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
11	the jail or prison facility where you are incarcerated pursuant to Penal Code Section
12	1524.1 and Health and Safety Code section 121055 following a probable cause hearing
13	resulting in a court order.
14	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
15	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
16	Enhancement 4
17	PC667.61(d)(4): Spec Alleg-Sex Crimes - Aggravated Circumstances
18	It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to
19	defendant, ARTHUR TIOFILO ROCHA, as to count 7 that the following circumstances
20	apply: residential burglary with intent to commit sexual offense.
21	Enhancement ら
22	PC667.61(e)(2): Spec Alleg-Sex Crimes - Aggravated Circumstances
23	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
24	to defendant, ARTHUR TIOFILO ROCHA, as to count 7 that the following circumstances
25	apply: committed during a burglary.
26	
27	
28	PAGE - 5 -
	AMENDED INFORMATION

	1	Enhancement
	2	PC667.61(e)(3): Spec Alleg-Sex Crimes - Aggravated Circumstances
	3	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
	4	to defendant, ARTHUR TIOFILO ROCHA, as to count 7 that the following circumstances
	5	apply: use of a dangerous or deadly weapon.
	6	Enhancement 7
	7	PC12022.3(a): Spec Alleg-Use Of Deadly Weapon-Sex Offense
	8	It is further alleged as to count 7 that in the commission of the above offense the
	9	defendant, ARTHUR TIOFILO ROCHA, used a firearm and deadly weapon, to wit, knife,
	10	within the meaning of Penal Code section 12022.3(a) and also causing the above offense
	11	to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).
	12	Count 8
	13	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
	14	of Forcible Oral Copulation in violation of PC288A(c)(2)(A), a Felony, was committed in
	15	that ARTHUR TIOFILO ROCHA did unlawfully participate in an act of oral copulation with
	16	and did accomplish said act against said victim's will by force, violence,
	17	duress, menace, and fear of immediate and unlawful bodily injury to said victim and to
	18	another.
	19	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
	20	test for evidence of antibodies to the probable causative agent of Acquired Immune
	21	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
)	22	NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
	23	section 290. Willful failure to register is a crime.
	24	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
	25	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
	26	
	27	
	28	
		PAGE - 6 - AMENDED INFORMATION

1	Enhancement 8
2	PC667.61(d)(4): Spec Alleg-Sex Crimes - Aggravated Circumstances
3	It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to
4	defendant, ARTHUR TIOFILO ROCHA, as to count 8 that the following circumstances
5	apply: residential burglary with intent to commit sexual offense.
6	Enhancement 9
7	PC667.61(e)(2): Spec Alleg-Sex Crimes - Aggravated Circumstances
8	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
9	to defendant, ARTHUR TIOFILO ROCHA, as to count 8 that the following circumstances
10	apply: committed during a burglary.
11	Enhancement ¹⁰
12	PC667.61(e)(3): Spec Alleg-Sex Crimes - Aggravated Circumstances
13	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
14	to defendant, ARTHUR TIOFILO ROCHA, as to count 8 that the following circumstances
15	apply: use of a dangerous or deadly weapon.
16	Enhancement (
17	PC12022.3(a): Spec Alleg-Use Of Deadly Weapon-Sex Offense
18	It is further alleged as to count 8 that in the commission of the above offense the
19	defendant, ARTHUR TIOFILO ROCHA, used a firearm and deadly weapon, to wit, knife,
20	within the meaning of Penal Code section 12022.3(a) and also causing the above offense
21	to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).
22	Count 9
23	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
24	of Forcible Rape in violation of PC261(a)(2), a Felony, was committed in that ARTHUR
25	TIOFILO ROCHA did unlawfully have and accomplish an act of sexual intercourse with a
26	person, to wit, second and an an , not his/her spouse, against said person's will, by means of
27	force, violence, duress, menace and fear of immediate and unlawful bodily injury on said
28	person and another. PAGE - 7 -
	AMENDED INFORMATION
	n

· _ _ /

Ш

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: Conviction of this offense will require you to register pursuant to Penal Code
5	section 290. Willful failure to register is a crime.
6	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
7	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
8	Enhancement バー
9	PC667.61(d)(4): Spec Alleg-Sex Crimes - Aggravated Circumstances
10	It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to
11	defendant, ARTHUR TIOFILO ROCHA, as to count 9 that the following circumstances
12	apply: residential burglary with intent to commit sexual offense.
13	Enhancement 13
14	PC667.61(e)(2): Spec Alleg-Sex Crimes - Aggravated Circumstances
15	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
16	to defendant, ARTHUR TIOFILO ROCHA, as to count 9 that the following circumstances
17	apply: committed during a burglary.
18	Enhancement 19
19	PC667.61(e)(3): Spec Alleg-Sex Crimes - Aggravated Circumstances
20	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
21	to defendant, ARTHUR TIOFILO ROCHA, as to count 9 that the following circumstances
22	apply: use of a dangerous or deadly weapon.
23	Enhancement いち
24	PC12022.3(a): Spec Alleg-Use Of Deadly Weapon-Sex Offense
25	It is further alleged as to count 9 that in the commission of the above offense the
26	defendant, ARTHUR TIOFILO ROCHA, used a firearm and deadly weapon, to wit, knife,
27	within the meaning of Penal Code section 12022.3(a) and also causing the above offense
28	to be a serious felony within the meaning of Penal Code section 1192.7(c)(23). PAGE - 8 -
ł	AMENDED INFORMATION

1	Count 10
2	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
3	of Forcible Rape in violation of PC261(a)(2), a Felony, was committed in that ARTHUR
4	TIOFILO ROCHA did unlawfully have and accomplish an act of sexual intercourse with a
5	person, to wit, second and , not his/her spouse, against said person's will, by means of
6	force, violence, duress, menace and fear of immediate and unlawful bodily injury on said
7	person and another.
8	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
9	test for evidence of antibodies to the probable causative agent of Acquired Immune
10	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
11	NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
12	section 290. Willful failure to register is a crime.
13	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
14	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
15	Enhancement
16	PC667.61(d)(4): Spec Alleg-Sex Crimes - Aggravated Circumstances
17	It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to
18	defendant, ARTHUR TIOFILO ROCHA, as to count 10 that the following circumstances
19	apply: residential burglary with intent to commit sexual offense.
20	Enhancement 17
21	PC667.61(e)(2): Spec Alleg-Sex Crimes - Aggravated Circumstances
22	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
23	to defendant, ARTHUR TIOFILO ROCHA, as to count 10 that the following circumstances
24	apply: committed during a burglary.
25	
26	
27	
28	PAGE - 9 -
	AMENDED INFORMATION

1	Enhancement 18
2	PC667.61(e)(3): Spec Alleg-Sex Crimes - Aggravated Circumstances
3	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
4	to defendant, ARTHUR TIOFILO ROCHA, as to count 10 that the following circumstances
5	apply: use of a dangerous or deadly weapon.
6	Enhancement 19
7	PC12022.3(a): Spec Alleg-Use Of Deadly Weapon-Sex Offense
8	It is further alleged as to count 10 that in the commission of the above offense the
9	defendant, ARTHUR TIOFILO ROCHA, used a firearm and deadly weapon, to wit, knife,
10	within the meaning of Penal Code section 12022.3(a) and also causing the above offense
11	to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).
12	Count 11
13	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
14	of Forcible Rape in violation of PC261(a)(2), a Felony, was committed in that ARTHUR
15	TIOFILO ROCHA did unlawfully have and accomplish an act of sexual intercourse with a
16	person, to wit, second and an an , not his/her spouse, against said person's will, by means of
17	force, violence, duress, menace and fear of immediate and unlawful bodily injury on said
18	person and another.
19	NOTICE: Conviction of this offense will require the court to order you to submit to a blood
20	test for evidence of antibodies to the probable causative agent of Acquired Immune
21	Deficiency Syndrome (AIDS). Penal Code Section 1202.1.
22	NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
23	section 290. Willful failure to register is a crime.
24	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
25	1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)
26	
27	
28	PAGE - 10 -
	AMENDED INFORMATION

1	Enhancement 20
2	PC667.61(d)(4): Spec Alleg-Sex Crimes - Aggravated Circumstances
3	It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to
4	defendant, ARTHUR TIOFILO ROCHA, as to count 11 that the following circumstances
5	apply: residential burglary with intent to commit sexual offense.
6	Enhancement 2/
7	PC667.61(e)(2): Spec Alleg-Sex Crimes - Aggravated Circumstances
8	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
9	to defendant, ARTHUR TIOFILO ROCHA, as to count 11 that the following circumstances
10	apply: committed during a burglary.
11	Enhancement 22
12	PC667.61(e)(3): Spec Alleg-Sex Crimes - Aggravated Circumstances
13	It is further alleged, within the meaning of Penal Code sections 667.61(a), (b), and (e), as
14	to defendant, ARTHUR TIOFILO ROCHA, as to count 11 that the following circumstances
15	apply: use of a dangerous or deadly weapon.
16	Enhancement 23
17	PC12022.3(a): Spec Alleg-Use Of Deadly Weapon-Sex Offense
18	It is further alleged as to count 11 that in the commission of the above offense the
19	defendant, ARTHUR TIOFILO ROCHA, used a firearm and deadly weapon, to wit, knife,
20	within the meaning of Penal Code section 12022.3(a) and also causing the above offense
21	to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).
22	Count 12
23	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
24	of First Degree Burglary, Person Present in violation of PC459, a Felony, was committed in
25	that ARTHUR TIOFILO ROCHA did enter an inhabited dwelling house and trailer coach
26	and inhabited portion of a building occupied by second and , with the intent to commit
27	larceny and any felony.
28	PAGE - 11 -
	AMENDED INFORMATION

1	It is further alleged that the above offense is a violation of Penal Code Section 462(a). It
2	is further alleged that the above offense is a violent felony within the meaning of Penal
3	Code 667.5(c) in that another person, other than an accomplice, was present in the
4	residence during the commission of the above offense.
5	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
6	1192.7(c).
7	Count 13
8	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
9	of Assault With A Deadly Weapon in violation of PC245(a)(1), a Felony, was committed in
10	that ARTHUR TIOFILO ROCHA did willfully and unlawfully commit an assault upon
11	with a deadly weapon, to wit, knife.
12	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
13	1192.7(c).
14	Count 14
15	On or about July 8, 2018, in the County of San Luis Obispo, State of California, the crime
16	of Criminal Threats in violation of PC422(a), a Felony, was committed in that ARTHUR
17	TIOFILO ROCHA did willfully and unlawfully threaten to commit a crime which would result
18	in death and great bodily injury to sector and a , with the specific intent that the statement be
19	taken as a threat. It is further alleged that the threatened crime, on its face and under
20	the circumstances in which it was made, was so unequivocal, unconditional, immediate
21	and specific as to convey to sector and an immediate prospect of
22	execution. It is further alleged that the said security was reasonably in sustained
23	fear of his/her safety and the safety of his/her immediate family.
24	NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
25	1192.7(c).
26	
27	
28	
	PAGE - 12 - AMENDED INFORMATION

Enhancement こႷ									
		PC12022(b)((1): Spec Alle	g-Use Of [Deadly Weapon				
It is further all	eged	as to count 1	4 that in the c	ommissior	n and attempted commission of the				
above offense	e, the	said defenda	nt, ARTHUR	FIOFILO F	ROCHA, personally used a deadly				
and dangerou	is we	apon(s), to wi	t, knife, said u	se not bei	ing an element of the above				
offense, withir	n the	meaning of P	enal Code Se	ction 1202	22(b)(1) and causing the above				
offense to be	a sei	ious felony wi	thin the mean	ing of Per	nal Code section 1192.7(c)(23).				
			Pri	or 1					
It is further all	eged	, pursuant to I	Penal Code se	ections 66	7(d) and (e), and Penal Code				
sections 1170).12(k	o) and (c), that	t defendant Af	RTHUR TI	OFILO ROCHA has suffered the				
following prior conviction of a serious and/or violent felony:									
Charge	s	Off. Date	Conv. Date	Court#	Jurisdiction				
PC 459 1st	F	08-28-2004	03-11-2005	F362024	San Luis Obispo Superior Court				
			Pri	or 2					
It is further alleged, pursuant to Penal Code section 667(a), that defendant ARTHUR									
TIOFILO ROO	СНА	has suffered t	he following p	rior convid	ction of a serious felony:				
Charge	s	Off. Date	Conv. Date	Court#	Jurisdiction				
PC 459 1st	F	08-28-2004	03-11-2005	F362024	San Luis Obispo Superior Court				
Prior 3									
It is further alleged, pursuant to Penal Code section 667.5(b), that defendant ARTHUR									
TIOFILO ROCHA has suffered the following prior conviction(s), and that a term was served									
as described in Penal Code section 667.5 for said offense(s), and that the defendant did									
not remain fre	ee of	prison custod	y or the impos	sition of a	term of jail custody pursuant to				
Penal Code section 1170(h), or did commit an offense resulting in a felony conviction,									
			_						
			*****		ION				
	above offense and dangerou offense, within offense to be It is further all sections 1170 following prior Charge PC 459 1st It is further all TIOFILO ROO Charge PC 459 1st It is further all TIOFILO ROO as described not remain fre	above offense, the and dangerous we offense, within the offense to be a ser It is further alleged sections 1170.12(k following prior com Charge S PC 459 1st F It is further alleged TIOFILO ROCHA Charge S PC 459 1st F It is further alleged TIOFILO ROCHA It is further alleged TIOFILO ROCHA as described in Pe not remain free of	PC12022(b)(It is further alleged as to count 1- above offense, the said defenda and dangerous weapon(s), to wi offense, within the meaning of P offense to be a serious felony wi It is further alleged, pursuant to I sections 1170.12(b) and (c), that following prior conviction of a se Charge S Off. Date PC 459 1st F 08-28-2004 It is further alleged, pursuant to I TIOFILO ROCHA has suffered t Charge S Off. Date PC 459 1st F 08-28-2004 It is further alleged, pursuant to I TIOFILO ROCHA has suffered t It is further alleged, pursuant to I TIOFILO ROCHA has suffered t as described in Penal Code sec not remain free of prison custod Penal Code section 1170(h), or	Enhance PC12022(b)(1): Spec Alleg It is further alleged as to count 14 that in the co- above offense, the said defendant, ARTHUR T and dangerous weapon(s), to wit, knife, said u offense, within the meaning of Penal Code Se offense to be a serious felony within the mean Pri It is further alleged, pursuant to Penal Code se sections 1170.12(b) and (c), that defendant Al- following prior conviction of a serious and/or v Charge S Off. Date Conv. Date PC 459 1st F 08-28-2004 03-11-2005 Pri It is further alleged, pursuant to Penal Code se TIOFILO ROCHA has suffered the following p Charge S Off. Date Conv. Date PC 459 1st F 08-28-2004 03-11-2005 Pri It is further alleged, pursuant to Penal Code se TIOFILO ROCHA has suffered the following p as described in Penal Code section 667.5 for not remain free of prison custody or the impose Penal Code section 1170(h), or did commit ar PAGE	Enhancement PC12022(b)(1): Spec Alleg-Use Of I It is further alleged as to count 14 that in the commission above offense, the said defendant, ARTHUR TIOFILO F and dangerous weapon(s), to wit, knife, said use not beil offense, within the meaning of Penal Code Section 1202 offense, within the meaning of Penal Code Section 1202 offense to be a serious felony within the meaning of Per Prior 1 It is further alleged, pursuant to Penal Code sections 66 sections 1170.12(b) and (c), that defendant ARTHUR TI following prior conviction of a serious and/or violent felo Charge Qff. Date Conv. Date Court# PC 459 1st F 08-28-2004 03-11-2005 F362024 Prior 1 It is further alleged, pursuant to Penal Code section 667 TIOFILO ROCHA has suffered the following prior convid Prior 3 It is further alleged, pursuant to Penal Code section 667 TIOFILO ROCHA has suffered the following prior convid Prior 3 It is further alleged,				

1 during a period of five years subsequent to the conclusion of said term: 2 3 S Off. Date Charge Conv. Date Court# Jurisdiction 4 PC 459 2nd |F|06-22-2011 08-29-2011 F461998 San Luis Obispo Superior Court 5 F 01-29-2012 F470039 San Luis Obispo Superior Court PC 496(a) 06-11-2012 6 Prior U 7 It is further alleged, pursuant to Penal Code section 667.5(b), that defendant ARTHUR 8 TIOFILO ROCHA has suffered the following prior conviction(s), and that a term was served 9 as described in Penal Code section 667.5 for said offense(s), and that the defendant did 10 not remain free of prison custody or the imposition of a term of jail custody pursuant to 11 Penal Code section 1170(h), or did commit an offense resulting in a felony conviction, 12 during a period of five years subsequent to the conclusion of said term: 13 14 S Off. Date Court# Jurisdiction Charge Conv. Date 15 PC 496(a) F 08-28-2004 03-11-2005 F362024 San Luis Obispo Superior Court 16 17 18 19 20 21 22 23 24 25

> PAGE - 14 -AMENDED INFORMATION

26

27

28

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: May 21, 2019
4	DAN DOW DISTRICT ATTORNEY
5	DISTRICT AT FORNEY
6	By WW
7	JULIE ANTOS DEPUTY DISTRICT ATTORNEY
8	i i
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	PAGE - 15 -
	AMENDED INFORMATION

		SUMMAI	RYPAGE		
Cnt	Charge	Range	Defendant(s)	Special Allegation	Ef
1	PC220(b)	LIFE State Prison	Arthur Tiofilo Rocha		
2	PC12022.3(a) PC459	2-4-6 PSP	Arthur Tiofilo Rocha		╞
2	F 0409	State Prison			
3	PC245(a)(1)	2-3-4 State Prison	Arthur Tiofilo Rocha		
4	PC245(a)(1)	2-3-4 State Prison	Arthur Tiofilo Rocha	-	
5	PC422(a)	16-2-3 State Prison	Arthur Tiofilo Rocha		
6	PC12022(b)(1)	16-2-3 State	Arthur Tiofilo Rocha		_
0	PC422(a)	Prison	Arthur Hotilo Rocha		
7	PC12022(b)(1)	2.6.9.5444	Arthur Tiofile Deche		_
1	PC289(a)(1)(A)	3-6-8 State Prison	Arthur Tiofilo Rocha		
	PC667.61(a) and (d), PC667.61(a)				
	and (e),				
	PC667.61(a) and (e), PC12022.3(a)	1			
8	PC288A(c)(2)(A)	3-6-8 State	Arthur Tiofilo Rocha		
	PC667.61(a) and	Prison			
	(d), PC667.61(a)				
	and (e), PC667.61(a) and				
9	(e), PC12022.3(a) PC261(a)(2)	3-6-8* State	Arthur Tiofilo Rocha		\vdash
5		Prison			1
	PC667.61(a) and (d), PC667.61(a)				
	and (e),				
	PC667.61(a) and (e), PC12022.3(a)				
10	PC261(a)(2)	3-6-8* State	Arthur Tiofilo Rocha		
	PC667.61(a) and	Prison			
	(d), PC667.61(a) and (e),				
	PC667.61(a) and (e), PC12022.3(a)				
11	PC261(a)(2)	3-6-8* State Prison	Arthur Tiofilo Rocha		1
	PC667.61(a) and				
	(d), PC667.61(a) and (e),				
	PC667.61(a) and				

		(e), PC12022.3(a)					
1 2	12	PC459	2-4-6 PSP State Prison	Arthur Tiofilo Rocha			
3	13	PC245(a)(1)	2-3-4 State Prison	Arthur Tiofilo Rocha			
4	14	PC422(a)	16-2-3 State Prison	Arthur Tiofilo Rocha			
5	15	PC12022(b)(1) PC1170.12	Strike Prior	Arthur Tiofilo Rocha			
6	16	PC667(a)	+5 Yrs	Arthur Tiofilo Rocha			
7	17	PC667.5(b)	+1 Yr	Arthur Tiofilo Rocha			
8	18	PC667.5(b)	+1 Yr	Arthur Tiofilo Rocha			
9	L		L	-1	1		
10							
11	·						
12							
13							
14 15							
16							
17							
18							
19							
· 20							
21							
22							
23							
24							
25							
26							
27							
28			PAGE	E - 17 -			
	AMENDED INFORMATION						