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OCT 27 2020

SAN LUIS OBISPO SUPERIOR COURT
BY M. Trujillo
M. Trujillo, Deputy Clerk

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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8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
9 DEPARTMENT 10

10
11 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

COURT CASE NO. 20F-06062
AMENDED COMPLAINT

12
13 vs.

14 JOSHUA DELANTE WHEELER
DOB: 02/12/1983 ID NO. D000435755
15 AKA JOSHUA D WHEELER

DA CASE NO. 079-651428

16
17 Defendant.

Appearance Date: October 27, 2020

18
19 The District Attorney of the San Luis Obispo County, California, hereby accuses the
20 above named defendant of the following criminal offenses:

21 Count 1

22 On or about March 7, 2020, in the County of San Luis Obispo, State of California, the
23 crime of Forcible Rape-Child Victim Over 14 Years in violation of PC261(a)(2), a Felony,
24 was committed in that JOSHUA DELANTE WHEELER did unlawfully have and accomplish
25 an act of sexual intercourse with a person, to wit, Confidential Victim, not his/her spouse,
26 against said person's will, by means of force, violence, duress, menace and fear of
27 immediate and unlawful bodily injury on said person and another. It is further alleged that
28 the victim was a child, 14 years of age and older.

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AMENDED COMPLAINT
DA CASE NO. 079-651428

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 Count 2

7 On or about March 7, 2020 in the County of San Luis Obispo, State of California, the crime
8 of Sexual Penetration By Foreign Object-Minor Victim Over 14 in violation of
9 PC289(a)(1)(C), a Felony, was committed in that JOSHUA DELANTE WHEELER
10 committed an act of sexual penetration against the will of Confidential Victim, who was a
11 minor over the age of 14 years, by means of force, violence, duress, menace and fear of
12 immediate and unlawful bodily injury on Confidential Victim and another person.

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

15 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
16 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
17 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
18 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
19 resulting in a court order.

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 Count 3

23 On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis
24 Obispo, State of California, the crime of Forcible Rape-Child Victim Over 14 Years in
25 violation of PC261(a)(2), a Felony, was committed in that JOSHUA DELANTE WHEELER
26 did unlawfully have and accomplish an act of sexual intercourse with a person, to wit,
27 Confidential Victim, not his/her spouse, against said person's will, by means of force,
28

1 violence, duress, menace and fear of immediate and unlawful bodily injury on said person
2 and another, to wit: first time. It is further alleged that the victim was a child, 14 years of
3 age and older.

4 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
5 test for evidence of antibodies to the probable causative agent of Acquired Immune
6 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

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: The above offense is a serious felony within the meaning of Penal Code Section
10 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

11 Count 4

12 On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis
13 Obispo, State of California, the crime of Forcible Rape-Child Victim Over 14 Years in
14 violation of PC261(a)(2), a Felony, was committed in that JOSHUA DELANTE WHEELER
15 did unlawfully have and accomplish an act of sexual intercourse with a person, to wit,
16 Confidential Victim, not his/her spouse, against said person's will, by means of force,
17 violence, duress, menace and fear of immediate and unlawful bodily injury on said person
18 and another, to wit: next time. It is further alleged that the victim was a child, 14 years of
19 age and older.

20 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
21 test for evidence of antibodies to the probable causative agent of Acquired Immune
22 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

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

25 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
26 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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Count 5

On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis Obispo, State of California, the crime of Forcible Rape-Child Victim Under 14 Years in violation of PC261(a)(2), a Felony, was committed in that JOSHUA DELANTE WHEELER did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, Confidential Victim, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another, to wit: last time. It is further alleged that the victim was a child, under 14 years of age.

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.

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

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)

Count 6

On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis Obispo, State of California, the crime of Sexual Penetration By Foreign Object-Minor Victim Over 14 in violation of PC289(a)(1)(C), a Felony, was committed in that JOSHUA DELANTE WHEELER committed an act of sexual penetration against the will of Confidential Victim, who was a minor over the age of 14 years, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on Confidential Victim and another person, to wit: first time.

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

1 NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction
2 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
3 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
4 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
5 resulting in a court order.

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7 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
8 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

9 Count 7

10 On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis
11 Obispo, State of California, the crime of Sexual Penetration By Foreign Object-Minor
12 Victim Over 14 in violation of PC289(a)(1)(C), a Felony, was committed in that JOSHUA
13 DELANTE WHEELER committed an act of sexual penetration against the will of
14 Confidential Victim, who was a minor over the age of 14 years, by means of force,
15 violence, duress, menace and fear of immediate and unlawful bodily injury on Confidential
16 Victim and another person, to wit: next time.

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: Being charged with this criminal offense can result in mandatory pre-conviction
20 HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of
21 the jail or prison facility where you are incarcerated pursuant to Penal Code Section
22 1524.1 and Health and Safety Code section 121055 following a probable cause hearing
23 resulting in a court order.

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)

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Count 8

On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis Obispo, State of California, the crime of Sexual Penetration By Foreign Object-Minor Victim Over 14 in violation of PC289(a)(1)(C), a Felony, was committed in that JOSHUA DELANTE WHEELER committed an act of sexual penetration against the will of Confidential Victim, who was a minor over the age of 14 years, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on Confidential Victim and another person, to wit: last time.

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.

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)

Count 9

On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis Obispo, State of California, the crime of Forcible Oral Copulation-Minor Victim Over 14 Years in violation of PC287(c)(2)(C), a Felony, was committed in that JOSHUA DELANTE WHEELER did unlawfully participate in an act of oral copulation with Confidential Victim, who was a minor over the age of 14 years, and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another, to wit: first time.

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 Count 10

9 On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis
10 Obispo, State of California, the crime of Forcible Oral Copulation-Minor Victim Over 14
11 Years in violation of PC287(c)(2)(C), a Felony, was committed in that JOSHUA DELANTE
12 WHEELER did unlawfully participate in an act of oral copulation with Confidential Victim',
13 who was a minor over the age of 14 years, and did accomplish said act against said
14 victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily
15 injury to said victim and to another, to wit: next time.

16 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
17 test for evidence of antibodies to the probable causative agent of Acquired Immune
18 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

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

21 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
22 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

23 Count 11

24 On or about or between May 15, 2019 and March 6, 2020, in the County of San Luis
25 Obispo, State of California, the crime of Forcible Oral Copulation-Minor Victim Over 14
26 Years in violation of PC287(c)(2)(C), a Felony, was committed in that JOSHUA DELANTE
27 WHEELER did unlawfully participate in an act of oral copulation with Confidential Victim',
28

1 who was a minor over the age of 14 years, and did accomplish said act against said
2 victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily
3 injury to said victim and to another, to wit: last time.

4 NOTICE: Conviction of this offense will require the court to order you to submit to a blood
5 test for evidence of antibodies to the probable causative agent of Acquired Immune
6 Deficiency Syndrome (AIDS). Penal Code Section 1202.1.

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: The above offense is a serious felony within the meaning of Penal Code Section
10 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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1 All of which is contrary to the statute in such cases made and provided, and against
2 the 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
7 said 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 October 21, 2020, 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: October 21, 2020

15 DAN DOW
16 DISTRICT ATTORNEY

17 By: 
18 MELISSA CHABRA
19 DEPUTY DISTRICT ATTORNEY

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

22 Dated: _____
23 Judge of the Superior Court

SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC261(a)(2)		Joshua Delante Wheeler		
2	PC289(a)(1)(C)		Joshua Delante Wheeler		
3	PC261(a)(2)		Joshua Delante Wheeler		
4	PC261(a)(2)		Joshua Delante Wheeler		
5	PC261(a)(2)		Joshua Delante Wheeler		
6	PC289(a)(1)(C)		Joshua Delante Wheeler		
7	PC289(a)(1)(C)		Joshua Delante Wheeler		
8	PC289(a)(1)(C)		Joshua Delante Wheeler		
9	PC287(c)(2)(C)		Joshua Delante Wheeler		
10	PC287(c)(2)(C)		Joshua Delante Wheeler		
11	PC287(c)(2)(C)		Joshua Delante Wheeler		