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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF YOLO

10
11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA,

13 Plaintiff,

14 vs.

15 IVAN MARTINEZ

16 Defendant(s)

Dept.

Case No. 13003073

COMPLAINT

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18 I, the undersigned, say, on information and belief, that in
19 the County of Yolo, State of California:

20 Count 1 : On or about August 5, 2013, IVAN MARTINEZ did
21 commit a FELONY, namely, a violation of Section 191.5(a) of the
22 California Penal Code, GROSS VEHICULAR MANSLAUGHTER WHILE
23 INTOXICATED, in that IVAN MARTINEZ did willfully and unlawfully
24 kill a human being, to wit, D.G., without malice aforethought,
25 while driving a vehicle, and the driving was in violation of
26 Section 23152 or 23153 of the California Vehicle Code, and the
27 killing was either the proximate result of the commission of an
28 unlawful act, not amounting to a felony, and with gross

1 negligence, and the proximate result of a lawful act which might
2 produce death, in an unlawful manner, and with gross negligence.

3 Count 2 : On or about August 5, 2013, IVAN MARTINEZ did
4 commit a FELONY, namely, a violation of Section 20001(a)(b)(1)
5 of the California Vehicle Code, HIT AND RUN WITH INJURY, in that
6 IVAN MARTINEZ did willfully, unlawfully and knowingly, drive a
7 vehicle and become involved in an accident resulting in injury
8 to any person, other than IVAN MARTINEZ, and IVAN MARTINEZ did
9 not immediately stop the vehicle at the scene of the accident
10 and fulfill the requirements of Sections 20003 and 20004 of the
11 California Vehicle Code.

12 Count Enhancement 2a : It is further alleged that after the
13 commission of Section 191.5 of the Penal Code as charged above
14 IVAN MARTINEZ did flee the scene, within the meaning of Section
15 20001(c) of the California Vehicle Code, FLEEING AFTER VEHICULAR
16 MANSLAUGHTER.

17 Count 3 : On or about August 5, 2013, IVAN MARTINEZ did
18 commit a FELONY, namely, a violation of Section 23153(a) of the
19 California Vehicle Code, DRIVING UNDER THE INFLUENCE OF ALCOHOL
20 AND DRUGS CAUSING INJURY, in that IVAN MARTINEZ did willfully
21 and unlawfully drive a vehicle while under the influence of any
22 alcoholic beverage and drug, and under the combined influence of
23 any alcoholic beverage and drug, and concurrently did any act
24 forbidden by law and neglect a duty imposed by law in driving
25 the vehicle, which act or neglect did proximately cause bodily
26 injury to any person other than IVAN MARTINEZ.

27 Count Enhancement 3a : It is further alleged that during
28 the commission of the felony charged above, IVAN MARTINEZ did


1 willfully, unlawfully, and personally inflict great bodily
2 injury upon any person, other than an accomplice, within the
3 meaning of Section 12022.7(a) of the California Penal Code,
4 INFLICTION OF GREAT BODILY INJURY.

5 Count 4 : On or about July 30, 2013, IVAN MARTINEZ did
6 commit a FELONY, namely, a violation of Section 23153(b) of the
7 California Vehicle Code, DRIVING AT 0.08 OR ABOVE CAUSING
8 INJURY, in that IVAN MARTINEZ did willfully and unlawfully drive
9 a vehicle while having 0.08 percent or more, by weight, of
10 alcohol in IVAN MARTINEZ's blood, and concurrently did any act
11 forbidden by law, and neglect any duty imposed by law in driving
12 the vehicle, which act and neglect did proximately cause bodily
13 injury to any person other than IVAN MARTINEZ.

14 Count Enhancement 4a : It is further alleged that during
15 the commission of the felony charged above, IVAN MARTINEZ did
16 willfully, unlawfully, and personally inflict great bodily
17 injury upon any person, other than an accomplice, within the
18 meaning of Section 12022.7(a) of the California Penal Code,
19 INFLICTION OF GREAT BODILY INJURY.

20 I declare under penalty of perjury that the foregoing is
21 correct.

22 Executed on August 6, 2013, at Woodland, California.

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25 Michael Joseph Cabral/126660
26 Assistant Chief Deputy District Attorney
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