

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
VICTORVILLE DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,)	
)	
Plaintiff)	FIRST
)	
vs.)	AMENDED
)	
)	Felony COMPLAINT
Jose Luis Vargas (FVI23001434) aka Jose Vargas aka Jose Luis Vargas Estrada aka Jose Luis Vargas Estrada aka Jose Luis Vargas Estrada)	
)	
)	DA CASE NO 2023-00-0022946
)	
)	
Defendant)	
)	
)	
)	
)	

The undersigned is informed and believes that:

COUNT 1

On or about May 11, 2023, in the above-named judicial district, the crime of MURDER, in violation of PENAL CODE SECTION 187(a), a felony, was committed by Jose Luis Vargas, who did unlawfully, and with malice aforethought murder Lisette Villasenor, a human being.

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 2

On or about May 11, 2023, in the above-named judicial district, the crime of DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL CAUSING INJURY - PRIOR CONVICTION(S), in violation of VEHICLE CODE SECTION 23153(a), a felony, was committed by Jose Luis Vargas, who did unlawfully, while under the influence of an alcoholic beverage, drive a vehicle and concurrently did an act forbidden by law, and neglected a duty imposed by law in driving the vehicle, which act and

neglect proximately caused bodily injury to Daniel V. and Ashley V..

It is further alleged, pursuant to Vehicle Code section 23550.5(b), that the defendant(s) suffered the following prior conviction(s):

Court Case	Code/Statute	Conv Date	County	State	Court Type
SCN331912	VC23153(b)	2015-03-03	San Diego	CA	Superior
TA137238	VC23152(b)	2014-10-23	Los Angeles	CA	Superior
FWV1800192	VC23152(b)	2019-05-01	San Bernardino	CA	Superior
3					
22WF0125	VC23152(a)	2022-11-03	Orange	CA	Superior

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged pursuant to Penal Code section 12022.7(b) as to count(s) 2, 3 that in the commission of the above offense the said defendant(s) Jose Luis Vargas, personally inflicted great bodily injury upon Daniel V., not an accomplice, and that said injury caused Daniel V. to become comatose due to brain injury and to suffer paralysis.

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).

COUNT 3

On or about May 11, 2023, in the above-named judicial district, the crime of DRIVING WITH A .08% BLOOD ALCOHOL CONTENT CAUSING INJURY- PRIOR CONVICTION(S), in violation of VEHICLE CODE SECTION 23153(b), a felony, was committed by Jose Luis Vargas, who did unlawfully, while having 0.08 percent or more, by weight, of alcohol in the blood, drive a vehicle and

concurrently did an act forbidden by law, and neglected a duty imposed by law in driving the vehicle, which act and neglect proximately caused bodily injury to Daniel V. and Ashley V..

It is further alleged, pursuant to Vehicle Code section 23550.5(b), that the defendant suffered the following prior conviction(s):

Court Case	Code/Statute	Conv Date	County	State	Court Type
SCN331912	VC23153(b)	2015-03-03	San Diego	CA	Superior
TA137238	VC23152(b)	2014-10-23	Los Angeles	CA	Superior
FWV1800192	VC23152(b)	2019-05-01	San Bernardino	CA	Superior
3					
22WF0125	VC23152(a)	2022-11-03	Orange	CA	Superior

You are hereby put on notice that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder. (Penal Code section 189; People v. Watson, 30 Cal. 3d 290 (1981)).

It is further alleged pursuant to Penal Code section 12022.7(b) as to count(s) 2, 3 that in the commission of the above offense the said defendant(s) Jose Luis Vargas, personally inflicted great bodily injury upon Daniel V., not an accomplice, and that said injury caused Daniel V. to become comatose due to brain injury and to suffer paralysis.

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).

* * * * *

It is further alleged as to each count, pursuant to Penal Code section 1170, subdivision (b)(2), that the following circumstances may apply in this case:

1. The crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness;
2. The defendant was armed with or used a weapon at the time of the commission of the crime;
3. The victim was particularly vulnerable;
4. The defendant has engaged in violent conduct that indicates a serious danger to society;
5. The defendant's prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness;
6. The defendant has served a prior term in prison or county jail under section 1170(h);
7. The defendant was on probation, mandatory supervision, postrelease community supervision, or parole when the crime was committed; and
8. The defendant's prior performance on probation, mandatory supervision, postrelease community supervision, or parole was unsatisfactory; and
9. And any other aggravating factors that may be permitted by law.

* * * * *

NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 3 COUNT(S).

Executed at Victorville, California, on May 15, 2023.

Jamie Cimino

Jamie Cimino
DECLARANT AND COMPLAINANT

Agency: Hesperia Police Department

Prelim Est.

Defendant	Birth Date	Booking No	CII No.	NCIC
Jose Luis Vargas	1982-03-23	2305370218	A28085487	