

THE SUPERIOR COURT, STATE OF CALIFORNIA
For the County of Santa Barbara
Figueroa Division

11/30/2021

Darrel E. Parker, Executive Officer
BY Gerhard, Lisa
Deputy Clerk

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

RAUL A GONZALEZ
AKA: RAUL ANTONIO GONZALEZ

DOB: 11/23/1973

Defendant.

DA No. 21-11-486177

Court No. **21CR07808**

FELONY COMPLAINT

Blood Test Pending:

AB109 INELIGIBLE

The undersigned is informed and believes that:

COUNT 1

On or about November 27, 2021, in the County of Santa Barbara, the crime of GROSS VEHICULAR MANSLAUGHTER WHILE INTOXICATED, in violation of **PENAL CODE SECTION 191.5(a)**, a Felony, was committed by RAUL A GONZALEZ, who did unlawfully kill KENNETH WARFIELD STERLING, SR., a human being, without malice aforethought, in the driving of a vehicle in violation of Vehicle Code Sections 23140, 23152 and 23153 and the killing was proximate result of the commission of an unlawful act, not amounting to a felony and with gross negligence and/or proximate result of the commission of a lawful act which might produce death, in an unlawful manner, and with gross negligence and/or proximate result of the commission of an unlawful act, not amounting to a felony, and with gross negligence and the proximate result of the commission of lawful act which might produce death, in an unlawful manner, and with gross negligence.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) (8).

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)(8).

COUNT 2

On or about November 27, 2021, in the County of Santa Barbara, the crime of DRIVING UNDER THE INFLUENCE OF ALCOHOL CAUSING INJURY, in violation of **VEHICLE CODE SECTION 23153(a)**, a Felony, was committed by RAUL A GONZALEZ, who did unlawfully, while under the influence of an alcoholic beverage drive a vehicle and in so driving, concurrently did an act forbidden by law and neglected a duty imposed by law, to wit: a violation of Vehicle Code Section 21703 and 22350, which proximately caused bodily injury to KENNETH WARFIELD STERLING, SR.

"NOTICE: If convicted of this offense the court must suspend your driving privileges if you are under the age of 21 years. Vehicle Code Section 13202.5".

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)(8)."

GREAT BODILY INJURY ON VICTIM 70 YEARS OF AGE OR OLDER

It is further alleged pursuant to Penal Code section 12022.7(c) that in the commission of the above offense the said defendant personally inflicted great bodily injury upon KENNETH WARFIELD STERLING, SR, not an accomplice, who was 70 years of age and older.

It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

It is further alleged that the above offense is a violent felony within the meaning of Penal Code Section 667.5(c)(8).

It is further alleged that the above offense is a violent felony pursuant to **Penal Code Section 667.5(c)(8)**.

SPEC ALLEG – SERIOUS/VIOLENT/REGISTERABLE SEX OFFENSE FELONY

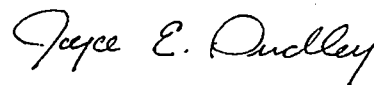
It is further alleged as to Counts 1-2, that the above offenses are serious felonies within the meaning of Penal Code section 1192.7(c) and/or a violent felony described in subdivision(s) of Penal Code section 667.5 and/or an offense requiring registration under the provisions Penal Code sections 290 et seq, pursuant to Penal Code section 1170(h), that the defendant RAUL A GONZALEZ, is ineligible for a state prison sentence to be served in the county jail.

“NOTICE: Pursuant to Penal Code section 1170(f), notwithstanding any other provisions of this section, for purposes of subdivision (h) of section 1170, any allegation that a defendant is ineligible for a state prison sentence to be served in the county jail due to a prior or current conviction, or sentence enhancement, or because he or she is required to register as a sex offender, or because the legislature specifically excluded the offense, shall not be subject to dismissal pursuant to §1385 PC.”

Pursuant to Penal Code Section 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.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 2 COUNT(S).

Executed at Santa Barbara, California, on November 30, 2021.



MICHELLE MOSSEMBEKKER
DEPUTY DISTRICT ATTORNEY

Agency: SBPD

<u>DEFENDANT NAME</u>	<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>	<u>EYES</u>	<u>HAIR</u>	<u>DRIVER'S LICENSE</u>	<u>STS</u>	<u>COURT DATE</u>
Raul A Gonzalez	M	H	506	140	BRO	GRY	D3250574	IC	11/30/2021

gr