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RECIEVED

1 DAN DOW
DISTRICT ATTORNEY
2 STATE BAR # 237986
COUNTY OF SAN LUIS OBISPO
3 COURTHOUSE ANNEX, 4TH FLOOR
SAN LUIS OBISPO, CA 93408
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8 SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
9 DEPARTMENT 1

10
11 THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiff,

12
13 vs.

14 **PATRICK WAYNE MCDUFFEE, II**
DOB: 11/08/1989 ID NO. D000326380
15 AKA PATRICK WAYNE MCDUFFEE JR.,
PATRICK W JR. MCDUFFEE, PATRICK W
16 JR. MCDUFFEE, PATRICK WAYNE
MCDUFFEE II

17
18 Defendant.

COURT CASE NO. 21F-04974

AMENDED INFORMATION

DA CASE NO. 079-667502

19
20 Appearance Date: December 21,
2022

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

23 Count 1

24 On or about August 6, 2021, in the County of San Luis Obispo, State of California, the
25 crime of Murder in violation of PC187(a), a Felony, was committed in that PATRICK
26 WAYNE MCDUFFEE II did unlawfully, and with malice aforethought murder Glenn Howard
27 Owens, a human being.

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

3 Count 2

4 On or about August 6, 2021, in the County of San Luis Obispo, State of California, the
5 crime of Gross Vehicular Manslaughter While Intoxicated in violation of PC191.5(a), a
6 Felony, was committed in that PATRICK WAYNE MCDUFFEE II did unlawfully, and
7 without malice, kill Glenn Howard Owens, a human being, while driving a vehicle in
8 violation of Vehicle Code sections 23140, 23152 and 23153 and said killing was the
9 proximate result of the commission of an unlawful act, not amounting to a felony, and with
10 gross negligence; and the proximate result of the commission of a lawful act which might
11 have produced death, in an unlawful manner, and with gross negligence.

12 NOTICE: The above offense is a serious felony within the meaning of Penal Code
13 Sections 1192.7(c) and 1192.8(a).

14 Prior

15 PC191.5(d): Spec Alleg-Prior Convictions

16 It is further alleged within the meaning of Penal Code section 191.5(d) as to Count 2 that
17 the defendant, PATRICK WAYNE MCDUFFEE II has suffered the following prior
18 convictions:

19 Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
20 VC23153(a)/PC12022.7 DUI 21 Causing Injury and Infliction of GBI	F	07-21-2010		12-06-2010	F449375	CASC San Luis Obispo

22 Count 3

23 On or about August 6, 2021, in the County of San Luis Obispo, State of California, the
24 crime of Driving Under The Influence Of Any Drug Causing Injury in violation of
25 VC23153(f), a Felony, was committed in that PATRICK WAYNE MCDUFFEE II did
26 unlawfully, while under the influence of a drug, drive a vehicle and in so driving,
27 concurrently did an act forbidden by law and neglected a duty imposed by law which
28 proximately caused bodily injury to Susan Margaret Owens.

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Enhancement

PC12022.7(a): Spec Alleg-Great Bodily Injury

It is further alleged as to Count 3 that in the commission of the above offense the said defendant, PATRICK WAYNE MCDUFFEE II, personally inflicted great bodily injury upon Susan Margaret Owens, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

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).

Prior

It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c), that defendant PATRICK WAYNE MCDUFFEE II has suffered the following prior conviction of a serious and/or violent felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
VC23153(a)/PC12022.7 DUI Causing Injury and Infliction of GBI	F	07-21-2010		12-06-2010	F449375	CASC San Luis Obispo

Prior

It is further alleged, pursuant to Penal Code section 667(a), that defendant PATRICK WAYNE MCDUFFEE II has suffered the following prior conviction of a serious felony:

Charge	S	Off. Date	Disp. Date	Sent. Date	Court #	Jurisdiction
VC23153(a)/PC12022.7 DUI Causing Injury and Infliction of GBI	F	07-21-2010		12-06-2010	F449375	CASC San Luis Obispo

1 It is further alleged pursuant to Penal Code Section 1170(b)(2) that one or more of the
2 following factors in aggravation listed in California Rule of Court 4.421 may apply to the
3 defendant(s) or to conduct of the defendant(s):

4
5 4.421(a)(1) The crime involved great violence, great bodily harm, threat of great bodily
6 harm, and other acts disclosing a high degree of cruelty, viciousness and callousness.

7 4.421(a)(2) The defendant was armed with or used a weapon at the time of the
8 commission of the crime.

9 4.421(a)(3) The victim was particularly vulnerable.

10 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger
11 to society.

12 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in
13 juvenile delinquency proceedings are numerous and of increasing seriousness.

14 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post
15 release community supervision, and parole was unsatisfactory.

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: December 15, 2022

4 DAN DOW
5 DISTRICT ATTORNEY

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8 By: 
9 ERIC DOBROTH
10 ASSISTANT DISTRICT ATTORNEY
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SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC187(a)	Check Code State Prison	Patrick Wayne Mcduffee II		
2	PC191.5(a) PC191.5(d)	4-6-10 State Prison	Patrick Wayne Mcduffee II		
3	VC23153(f) PC12022.7(a)	+16-2-3 State Prison	Patrick Wayne Mcduffee II		
5	PC1170.12	Strike Prior	Patrick Wayne Mcduffee II		
6	PC667(a)	+5 Yrs	Patrick Wayne Mcduffee II		