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SAN LUIS OBISPO SUPERIOR COURT  
By: J. Platt,  
Deputy Clerk

1 DAN DOW  
2 DISTRICT ATTORNEY  
3 STATE BAR # 237986  
4 COUNTY OF SAN LUIS OBISPO  
5 COURTHOUSE ANNEX, 4TH FLOOR  
6 SAN LUIS OBISPO, CA 93408  
7 TELEPHONE: (805) 781-5800

DV Case  
 BOOKING REQ

**IN CUSTODY**

8 SUPERIOR COURT OF CALIFORNIA  
9 COUNTY OF SAN LUIS OBISPO

11 THE PEOPLE OF THE STATE OF CALIFORNIA

12 Plaintiff,

13 vs.

15 **ALAN FONSECA OSIO**

16 DOB: 04/10/1995  
17 ID NO. D000402669  
18 CII: A34104055

19 Defendant.

COURT CASE NO. 24F-07264

COMPLAINT

DA CASE NO. 079-705976

Appearance Date:

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

22 Count 1

23 On or about October 14, 2024, in the County of San Luis Obispo, State of California, the  
24 crime of Murder in violation of Penal Code Section 187(a), a Felony, was committed in that  
25 ALAN FONSECA OSIO did unlawfully, and with malice aforethought murder M.A.O., a  
26 human being.

27 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
28 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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COMPLAINT  
DA CASE NO. 079-705976

1 Enhancement

2 Penal Code Section 12022(b)(1): Special Allegation Use of Deadly Weapon

3 It is further alleged as to count 1 that in the commission and attempted commission of the  
4 above offense, the said defendant, ALAN FONSECA OSIO, personally used a deadly and  
5 dangerous weapon, to wit, a knife, said use not being an element of the above offense, within  
6 the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a  
7 serious felony within the meaning of Penal Code Section 1192.7(c)(23).

8 Count 2

9 On or about October 14, 2024, in the County of San Luis Obispo, State of California, the  
10 crime of Attempted Murder in violation of Penal Code Sections 664/PC187(a), a Felony, was  
11 committed in that ALAN FONSECA OSIO did unlawfully, and with malice aforethought  
12 attempt to murder V.O., a human being.

13 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
14 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

15 Enhancement

16 Penal Code Section 12022.7(a): Special Allegation Infliction of Great Bodily Injury

17 It is further alleged as to Count 2 that in the commission of the above offense the said  
18 defendant, ALAN FONSECA OSIO, personally inflicted great bodily injury upon V.O., not an  
19 accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and  
20 also causing the above offense to become a serious felony within the meaning of Penal Code  
21 Section 1192.7(c)(8).

22 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal  
23 Code Sections 1192.7(c)(8) and 667.5(c)(8)

24 Enhancement

25 Penal Code Section 12022(b)(1): Special Allegation Use of Deadly Weapon

26 It is further alleged as to count 2 that in the commission and attempted commission of the  
27 above offense, the said defendant, ALAN FONSECA OSIO, personally used a deadly and

1 dangerous weapon, to wit, a knife, said use not being an element of the above offense, within  
2 the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a  
3 serious felony within the meaning of Penal Code Section 1192.7(c)(23).

4 Count 3

5 On or about October 14, 2024, in the County of San Luis Obispo, State of California, the  
6 crime of Arson of An Inhabited Structure Or Property in violation of Penal Code Section  
7 451(b), a Felony, was committed in that ALAN FONSECA OSIO did willfully, unlawfully, and  
8 maliciously set fire to and burn an inhabited structure located at 238 Spruce, Arroyo Grande,  
9 California.

10 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section  
11 1192.7(c).

12 Count 4

13 On or about October 14, 2024, in the County of San Luis Obispo, State of California, the  
14 crime of Assault on A Police Animal in violation of Penal Code Section 600(a), a Felony, was  
15 committed in that ALAN FONSECA OSIO did willfully, maliciously and with no legal  
16 justification violate this section with regard to a police animal.

17 Prior 1

18 It is further alleged, pursuant to Penal Code sections 667(d) and (e), and Penal Code  
19 sections 1170.12(b) and (c), that defendant ALAN FONSECA OSIO has suffered the  
20 following prior conviction of a serious felony:

21

Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
PC 245(a)(1) Assault With A Deadly Weapon	F	09-20-2018	02-05-2019	18F-08873	CASC San Luis Obispo

23 Prior 2

24 It is further alleged, pursuant to Penal Code section 667(a), that defendant ALAN  
25 FONSECA OSIO has suffered the following prior conviction of a serious felony:

26

Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
PC 245(a)(1) Assault With A Deadly Weapon	F	09-20-2018	02-05-2019	18F-08873	CASC San Luis Obispo

27

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

6 4.421(a)(2) The defendant was armed with or used a weapon at the time of the commission  
7 of the crime.

8 4.421(a)(3) The victim was particularly vulnerable.

9 4.421(a)(6) The defendant threatened witnesses, unlawfully prevented and dissuaded  
10 witnesses from testifying, suborned perjury, and in any other way illegally interfered with the  
11 judicial process.

12 4.421(a)(7) The defendant is charged with other crimes for which consecutive sentences  
13 can be imposed but for which concurrent sentences shall be imposed.

14 4.421(a)(8) The manner in which the crime was carried out indicates planning,  
15 sophistication, and professionalism.

16 4.421(a)(9) The crime involved an attempted or actual taking or damage of great monetary  
17 value.

18 4.421(a)(11) The defendant took advantage of a position of trust and confidence to commit  
19 the offense.

20 4.421(b)(1) The defendant has engaged in violent conduct that indicates a serious danger to  
21 society.

22 4.421(b)(2) The defendant's prior convictions as an adult and sustained petitions in juvenile  
23 delinquency proceedings are numerous and of increasing seriousness.

24 4.421(b)(3) The defendant has served a prior term in prison and county jail under section  
25 1170(h).

26 4.421(b)(4) The defendant was on probation, mandatory supervision, post release  
27 community supervision, and parole when the crime was committed.

1 4.421(b)(5) The defendant's prior performance on probation, mandatory supervision, post  
2 release community supervision, and parole was unsatisfactory.

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1 All of which is contrary to the statute in such cases made and provided, and against the  
2 peace and dignity of the People of the State of California.


3 I declare that an investigation has been conducted to determine if said  
4 Defendant(s) did commit the stated crime, which reports are attached hereto and  
5 incorporated herein by reference, and that the facts therein show probable cause that  
6 the said Defendant(s) did commit the crime. Your declarant requests the issuance of a  
7 Warrant of Arrest either if said Defendant(s) do not appear voluntarily in response to an  
8 appearance letter, or if no 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 16, 2024, 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 16, 2024

15 DAN DOW  
16 DISTRICT ATTORNEY

17  
18 By:   
19 \_\_\_\_\_  
20 ERIC DOBROTH  
21 ASSISTANT DISTRICT ATTORNEY

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

24 Dated: \_\_\_\_\_ Judge of the Superior Court

SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
1	PC187(a) PC12022(b)(1)		Alan Fonseca Osio		
2	PC664/PC187(a) PC12022.7(a), PC12022(b)(1)		Alan Fonseca Osio		
3	PC451(b)		Alan Fonseca Osio		
4	PC600(a)		Alan Fonseca Osio		
5	PC1170.12		Alan Fonseca Osio		
	PC667(a)		Alan Fonseca Osio		