

**PROBABLE CAUSE DECLARATION FOR IN CUSTODY DETAINEES  
(DO NOT ATTACH BOOKING SUMMARY TO ADULT DETAINEE)**

DEFENDANT NAME <b>ASHBURN, ROY ARTHUR</b>	X-REF	AGENCY <b>CHP</b>	REPORT NO. <b>22339LH</b>
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I declare the above named person has been arrested and is detained in the Sacramento County  Jail  Juvenile Hall. I am informed of and believe the facts below which establish probable cause to detain this individual: (Print in blank ink; circle description of witness, and "saw" or "heard" as appropriate).

**EVIDENCE ESTABLISHING A CRIME WAS COMMITTED**

Witness / Victim  Officer **R. GOMEZ** stated  he/she  saw  heard the following

**THE SUBJECT VEHICLE WAS OBSERVED MAKING SEVERAL BRAKE APPLICATIONS WITHOUT DEBRIS OR TRAFFIC IN THE PATH OF THE VEHICLE. THE SUBJECT VEHICLE WAS ALSO OBSERVED STRADDLING THE #2 AND #3 LANE OF 15<sup>TH</sup> ST. N OF L ST.** (If necessary, continue below)

**EVIDENCE ESTABLISHING THAT THE ARRESTED PERSON COMMITTED THE CRIME**

Witness / Victim / Officer \_\_\_\_\_ stated he/she saw/heard the following

**THE SUBJECT VEHICLE STOPPED AT A RED LIGHT AT THE INTERSECTION WITH L ST WAITING TO MAKE A RIGHT TURN FOR APPROX 1 MINUTE WITHOUT ANY CROSS TRAFFIC. THE VEHICLE THEN MADE A RIGHT AND STRADDLED THE #2 AND #3 LANE OF L ST. AN** (If necessary, continue below)

SIGNATURE - I declare under penalty of perjury that the foregoing is true and correct	PRINT NAME <b>R. GOMEZ</b>	DATE <b>03-03-10</b>	BADGENO. <b>17468</b>
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**JUDICIAL DECISION RE: PROBABLE CAUSE TO DETAIN**

- I find the declaration DOES establish probable cause to believe this arrestee committed a crime. The arrestee may be detained.
- I find the declaration DOES NOT establish probable cause to detain. The arrestee should be released on the charge(s).

SIGNATURE OF MAGISTRATE	DATE	TIME
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**VC 23153 (a-b) BAIL/OR INFORMATION**

VICTIM(S) NAME(S)	AGE	EXTENT OF INJURY	HOSPITALIZED		IF YES, WHERE
			YES	NO	

**PC 273.5 BAIL/OR INFORMATION**

YES	NO	UNK	QUESTIONS (FOR "YES" ANSWERS, EXPLAIN BELOW)	YES	NO	UNK	QUESTIONS (FOR "YES" ANSWERS, EXPLAIN BELOW)
			1. Prior documented domestic violence history?				5. Is the victim fearful of further violence?
			2. Documented history of violence?				6. Has the victim sought alternative housing?
			3. Other temporary housing available to arrestee?				7. Were minor children threatened or endangered?
			4. Was violation of a court order involved?				8. Any statement by arrestee as to further violence?

- Explanation of any "Yes" answer above in 273.5 PC cases, and describe extent of injury.
- Continuation of answer(s) from above.
- (Check if applicable) Minor admitted to Officer \_\_\_\_\_ that he/she

**ENFORCEMENT STOP WAS CONDUCTED AND THE DRIVER WAS FOUND TO BE D.U.I.**

1 JAN SCULLY  
2 DISTRICT ATTORNEY  
3 901 G STREET  
4 SACRAMENTO, CA 95814  
5 (916) 874-6218  
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HPO-LH-22339  
R. CLANCEY, DDA  
04/14/2010 (853.6) (SD)  
XRef: 4613713

10  
11 SUPERIOR COURT OF CALIFORNIA  
12 COUNTY OF SACRAMENTO  
13

14 THE PEOPLE OF THE STATE OF  
15 CALIFORNIA,

16 vs.

17 ROY ARTHUR ASHBURN (09468821-01),  
18

19 Defendant(s).  
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21 The People of the State of California upon oath of the undersigned, upon information and belief  
22 complain against the defendant(s) above named for the crime(s) as follows:

23 COUNT ONE

24 On or about March 03, 2010, at and in the County of Sacramento, State of California,  
25 defendant(s) ROY ARTHUR ASHBURN did commit a misdemeanor namely: a violation of  
26 Section 23152(a) of the Vehicle Code of the State of California, in that said defendant did  
27 willfully and unlawfully, while under the influence of an alcoholic beverage or any drug or under  
28 the combined influence of an alcoholic beverage and any drug, drive a vehicle.  
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30 COUNT TWO

31 For a further and separate cause of action, being a different offense of the same class of crimes  
32 and offenses and connected in its commission with the charges set forth in Count One hereof: On  
33 or about March 03, 2010, at and in the County of Sacramento, State of California, defendant(s)  
34 ROY ARTHUR ASHBURN did commit a misdemeanor namely: a violation of Section 23152(b)  
35 of the Vehicle Code of the State of California, in that said defendant did willfully and unlawfully,  
36 while having a 0.08 percent and more, by weight, of alcohol in his/her blood, drive a vehicle.  
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I declare upon information and belief and under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento County, California, the 4th day of March, 2010.



Declarant  
SACRAMENTO COUNTY DISTRICT ATTORNEY

(916) 874-6218  
Telephone Number

ENO