

RECEIVED

MAY 31 2016

1 JEFF W. REISIG Yolo County District Attorney
DISTRICT ATTORNEY OF YOLO COUNTY
2 By: Matthew De Moura/278075
Deputy District Attorney
3 301 Second Street
Woodland, California 95695
4 Telephone: (530) 666-8180
Entry No.: 214729
5 Attorney for People

FILED
YOLO SUPERIOR COURT
MAY 27 2016

BY 
DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF YOLO

11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA,

Dept. 14 Case No. 15-3694

INFORMATION

13 Plaintiff,

14 vs.

15 ALAMAR CYRIL HOUSTON,

16 Defendant.

17
18 I, the undersigned, say, on information and belief, that in
19 the County of Yolo, State of California:

21 **Cyclist #1 (Donald Dumaine)**

22
23 Count 1 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
24 did commit a FELONY, namely, a violation of Sections 21a, 664(a)
25 and 187(a) of the California Penal Code, ATTEMPTED MURDER, in
26 that ALAMAR CYRIL HOUSTON did willfully, unlawfully and with
27 malice aforethought attempt to murder Donald Dumaine, a human
28 being.

1 Count Enhancement 1a : It is further alleged that the
2 attempted murder alleged above was willful, deliberate and
3 premeditated within the meaning of California Penal Code
4 Sections 664(a) and 189, ENHANCEMENT FOR WILLFUL, DELIBERATE AND
5 PREMEDITATED ATTEMPTED MURDER.

6 Count Enhancement 1b : It is further alleged that during
7 the commission or attempted commission of the felony charged
8 above, ALAMAR CYRIL HOUSTON did willfully, unlawfully, and
9 personally use a deadly or dangerous weapon, within the meaning
10 of Section 12022(b)(1) of the California Penal Code, USE OF
11 DEADLY WEAPON.

12 Count 2 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
13 did commit a FELONY, namely, a violation of Section 245(a)(1) of
14 the California Penal Code, ASSAULT WITH A DEADLY WEAPON, in that
15 ALAMAR CYRIL HOUSTON did willfully and unlawfully commit an
16 assault upon Donald Dumaine with a deadly weapon or instrument
17 other than a firearm, to wit, car.

18 Count 3 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
19 did commit a FELONY, namely, a violation of Section
20 20001(a)(b)(1) of the California Vehicle Code, HIT AND RUN WITH
21 INJURY, in that ALAMAR CYRIL HOUSTON did willfully, unlawfully
22 and knowingly, drive a vehicle and become involved in an
23 accident resulting in injury to Donald Dumaine, and ALAMAR CYRIL
24 HOUSTON did not immediately stop the vehicle at the scene of the
25 accident and fulfill the requirements of Sections 20003 and
26 20004 of the California Vehicle Code.

27 ///

28 ///

1 **Cyclist # 2 (T.J., DOB 04/13/98)**

2
3 Count 4 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
4 did commit a FELONY, namely, a violation of Sections 21a, 664(a)
5 and 187(a) of the California Penal Code, ATTEMPTED MURDER, in
6 that ALAMAR CYRIL HOUSTON did willfully, unlawfully and with
7 malice aforethought attempt to murder T.J. (DOB 04/13/98), a
8 human being.

9 Count Enhancement 4a : It is further alleged that the
10 attempted murder alleged above was willful, deliberate and
11 premeditated within the meaning of California Penal Code
12 Sections 664(a) and 189, ENHANCEMENT FOR WILLFUL, DELIBERATE AND
13 PREMEDITATED ATTEMPTED MURDER.

14 Count Enhancement 4b : It is further alleged that during
15 the commission or attempted commission of the felony charged
16 above, ALAMAR CYRIL HOUSTON did willfully, unlawfully, and
17 personally use a deadly or dangerous weapon, within the meaning
18 of Section 12022(b)(1) of the California Penal Code, USE OF
19 DEADLY WEAPON.

20 Count Enhancement 4c : It is further alleged that during
21 the commission of the felony charged above, ALAMAR CYRIL HOUSTON
22 did willfully, unlawfully, and personally inflict great bodily
23 injury upon any person other than an accomplice and that said
24 injury did cause the victim to become comatose due to brain
25 injury or suffer paralysis of a permanent nature, within the
26 meaning of Section 12022.7(b) of the California Penal Code,
27 INFLICTION OF GREAT BODILY INJURY.

28 ///

1 Count 5 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
2 did commit a FELONY, namely, a violation of Section 245(a)(1) of
3 the California Penal Code, ASSAULT WITH A DEADLY WEAPON, in that
4 ALAMAR CYRIL HOUSTON did willfully and unlawfully commit an
5 assault upon T.J. (DOB 04/13/98) with a deadly weapon or
6 instrument other than a firearm, to wit, car.

7 Count Enhancement 5a : It is further alleged that during
8 the commission of the felony charged above, ALAMAR CYRIL HOUSTON
9 did willfully, unlawfully, and personally inflict great bodily
10 injury upon any person other than an accomplice and that said
11 injury did cause the victim to become comatose due to brain
12 injury or suffer paralysis of a permanent nature, within the
13 meaning of Section 12022.7(b) of the California Penal Code,
14 INFLICTION OF GREAT BODILY INJURY.

15 Count 6 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
16 did commit a FELONY, namely, a violation of Section
17 20001(a)(b)(1) of the California Vehicle Code, HIT AND RUN WITH
18 INJURY, in that ALAMAR CYRIL HOUSTON did willfully, unlawfully
19 and knowingly, drive a vehicle and become involved in an
20 accident resulting in injury to T.J. (DOB 04/13/98), and ALAMAR
21 CYRIL HOUSTON did not immediately stop the vehicle at the scene
22 of the accident and fulfill the requirements of Sections 20003
23 and 20004 of the California Vehicle Code.

24 ///

25 ///

26 ///

27 ///

28 ///

1 **Cyclist #3 (J.J., DOB 04/11/98)**

2
3 Count 7 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
4 did commit a FELONY, namely, a violation of Sections 21a, 664(a)
5 and 187(a) of the California Penal Code, ATTEMPTED MURDER, in
6 that ALAMAR CYRIL HOUSTON did willfully, unlawfully and with
7 malice aforethought attempt to murder J.J. (DOB 04/11/98), a
8 human being.

9 Count Enhancement 7a : It is further alleged that the
10 attempted murder alleged above was willful, deliberate and
11 premeditated within the meaning of California Penal Code
12 Sections 664(a) and 189, ENHANCEMENT FOR WILLFUL, DELIBERATE AND
13 PREMEDITATED ATTEMPTED MURDER.

14 Count Enhancement 7b : It is further alleged that during
15 the commission or attempted commission of the felony charged
16 above, ALAMAR CYRIL HOUSTON did willfully, unlawfully, and
17 personally use a deadly or dangerous weapon, within the meaning
18 of Section 12022(b)(1) of the California Penal Code, USE OF
19 DEADLY WEAPON.

20 Count Enhancement 7c : It is further alleged that during
21 the commission of the felony charged above, ALAMAR CYRIL HOUSTON
22 did willfully, unlawfully, and personally inflict great bodily
23 injury upon any person, other than an accomplice, within the
24 meaning of Section 12022.7(a) of the California Penal Code,
25 INFLECTION OF GREAT BODILY INJURY.

26 Count 8 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
27 did commit a FELONY, namely, a violation of Section 245(a)(1) of
28 the California Penal Code, ASSAULT WITH A DEADLY WEAPON, in that

1 ALAMAR CYRIL HOUSTON did willfully and unlawfully commit an
2 assault upon J.J. (DOB 04/11/98) with a deadly weapon or
3 instrument other than a firearm, to wit, car.

4 Count Enhancement 8a : It is further alleged that during
5 the commission of the felony charged above, ALAMAR CYRIL HOUSTON
6 did willfully, unlawfully, and personally inflict great bodily
7 injury upon any person, other than an accomplice, within the
8 meaning of Section 12022.7(a) of the California Penal Code,
9 INFLICTION OF GREAT BODILY INJURY.

10 Count 9 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
11 did commit a FELONY, namely, a violation of Section
12 20001(a)(b)(1) of the California Vehicle Code, HIT AND RUN WITH
13 INJURY, in that ALAMAR CYRIL HOUSTON did willfully, unlawfully
14 and knowingly, drive a vehicle and become involved in an
15 accident resulting in injury to J.J. (DOB 04/11/98), and ALAMAR
16 CYRIL HOUSTON did not immediately stop the vehicle at the scene
17 of the accident and fulfill the requirements of Sections 20003
18 and 20004 of the California Vehicle Code.

19
20 **All Cyclists (Donald Dumaine; T.J., DOB 04/13/98; J.J., DOB**
21 **04/11/98)**

22 Count 10 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
23 did commit a FELONY, namely, a violation of Section 23153(a) of
24 the California Vehicle Code, DRIVING UNDER THE INFLUENCE OF
25 DRUGS CAUSING INJURY, in that ALAMAR CYRIL HOUSTON did willfully
26 and unlawfully drive a vehicle while under the influence of any
27 drug, and concurrently did any act forbidden by law and neglect
28 a duty imposed by law in driving the vehicle, which act or

1 neglect did proximately cause bodily injury to any person other
2 than ALAMAR CYRIL HOUSTON.

3 Count Enhancement 10a : It is further alleged that during
4 the commission of the felony charged above, ALAMAR CYRIL HOUSTON
5 did willfully, unlawfully, and personally inflict great bodily
6 injury upon J.J. (DOB 04/11/98), within the meaning of Section
7 12022.7(a) of the California Penal Code, INFLICTION OF GREAT
8 BODILY INJURY.

9 Count Enhancement 10b : It is further alleged that during
10 the commission of the felony charged above, ALAMAR CYRIL HOUSTON
11 did willfully, unlawfully, and personally inflict great bodily
12 injury upon T.J. (DOB 04/13/98) and that said injury did cause
13 the victim to become comatose due to brain injury or suffer
14 paralysis of a permanent nature, within the meaning of Section
15 12022.7(b) of the California Penal Code, INFLICTION OF GREAT
16 BODILY INJURY.

17 Count Enhancement 10c : It is further alleged that during
18 the commission of the felony charged in Count 10 ALAMAR CYRIL
19 HOUSTON did proximately cause bodily injury to more than one
20 victim, to wit, Donald Dumaine, within the meaning of Section
21 23558 of the California Vehicle Code, ENHANCEMENT FOR MULTIPLE
22 VICTIMS WHEN SECTION 23153 OF THE VEHICLE CODE OR SECTION 191.5
23 OR 193(c)(3) OF THE PENAL CODE IS CHARGED.

24 Count Enhancement 10d : It is further alleged that during
25 the commission of the violation charged above ALAMAR CYRIL
26 HOUSTON did willfully and unlawfully refuse to take a chemical
27 test, within the meaning of Section 23578 California Vehicle
28 Code, ENHANCEMENT FOR REFUSAL TO TAKE CHEMICAL TEST.

1 **Other Acts**

2
3 Count 11 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
4 did commit a FELONY, namely, a violation of Section 245(a)(4) of
5 the California Penal Code, ASSAULT BY MEANS OF FORCE LIKELY TO
6 PRODUCE GREAT BODILY INJURY, in that ALAMAR CYRIL HOUSTON did
7 willfully and unlawfully commit an assault upon the person of
8 Pam Kavanaugh by means of force likely to produce great bodily
9 injury.

10 Count 12 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
11 did commit a FELONY, namely, a violation of Section 245(a)(1) of
12 the California Penal Code, ASSAULT WITH A DEADLY WEAPON, in that
13 ALAMAR CYRIL HOUSTON did willfully and unlawfully commit an
14 assault upon James Griffith with a deadly weapon or instrument
15 other than a firearm, to wit, a vehicle (2015 Hyundai Tuscon).

16 Count 13 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
17 did commit a FELONY, namely, a violation of Section 10851(a) of
18 the California Vehicle Code, THEFT OR UNAUTHORIZED USE OF
19 VEHICLE, in that ALAMAR CYRIL HOUSTON did willfully and
20 unlawfully drive and take a vehicle, to wit, 2105 Hyundai
21 Tuscon, not ALAMAR CYRIL HOUSTON's own, without the consent of
22 the owner thereof, and with intent either permanently or
23 temporarily to deprive the owner thereof of title to or
24 possession of said vehicle and ALAMAR CYRIL HOUSTON is a party
25 or accessory to or an accomplice in the driving or unauthorized
26 taking or stealing of said vehicle.

27 Count 14 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
28 did commit a FELONY, namely, a violation of Section 10851(a) of

1 the California Vehicle Code, THEFT OR UNAUTHORIZED USE OF
2 VEHICLE, in that ALAMAR CYRIL HOUSTON did willfully and
3 unlawfully drive and take a vehicle, to wit, green Dodge pickup
4 truck, not ALAMAR CYRIL HOUSTON's own, without the consent of
5 the owner thereof, and with intent either permanently or
6 temporarily to deprive the owner thereof of title to or
7 possession of said vehicle and ALAMAR CYRIL HOUSTON is a party
8 or accessory to or an accomplice in the driving or unauthorized
9 taking or stealing of said vehicle.

10 Count 15 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
11 did commit a FELONY, namely, a violation of Section 2800.2 of
12 the California Vehicle Code, EVADING A PEACE OFFICER WITH
13 RECKLESS DRIVING, in that ALAMAR CYRIL HOUSTON did willfully and
14 unlawfully operate a motor vehicle in a willful and wanton
15 disregard for the safety of persons and property and with the
16 intent to evade and did willfully flee and otherwise attempt to
17 elude a pursuing peace officer's motor vehicle when the
18 following conditions existed: (a) The peace officer's motor
19 vehicle was exhibiting at least one lighted red lamp visible
20 from the front and ALAMAR CYRIL HOUSTON either saw and
21 reasonably should have seen the lamp; (b) The peace officer's
22 motor vehicle was sounding a siren as may be reasonably
23 necessary; (c) The peace officer's motor vehicle was
24 distinctively marked; and (d) The peace officer's motor vehicle
25 was operated by a peace officer as defined in Chapter 4.5 of the
26 Penal Code, and that peace officer was wearing a distinctive
27 uniform.

28 ///

1 Count 16 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
2 did commit a FELONY, namely a violation of Section 2800.4 or the
3 California Vehicle Code, EVADING A PEACE OFFICER WHILE DRIVING
4 IN THE OPPOSITE DIRECTION, in that ALAMAR CYRIL HOUSTON did
5 willfully and unlawfully operate a motor vehicle with the intent
6 to evade and did willfully flee and otherwise attempt to elude a
7 pursuing peace officer's motor vehicle and did willfully drive
8 on a highway in a direction opposite to that in which the
9 traffic lawfully moves upon that highway when the following
10 conditions existed:

11 (a) The peace officer's motor vehicle was exhibiting at
12 least one lighted red lamp visible from the front and ALAMAR
13 CYRIL HOUSTON either saw and reasonably should have seen the
14 lamp;

15 (b) The peace officer's motor vehicle was sounding a siren
16 as may be reasonably necessary;

17 (c) The peace officer's motor vehicle was distinctively
18 marked; and

19 (d) The peace officer's motor vehicle was operated by a
20 peace officer as defined in Chapter 4.5 of the Penal Code, and
21 that peace officer was wearing a distinctive uniform.

22 Count 17 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
23 did commit a MISDEMEANOR, namely, a violation of Section 600(a)
24 of the California Penal Code, HARMING, INTERFERING WITH OR
25 OBSTRUCTING A PEACE OFFICER'S HORSE OR DOG RESULTING IN INJURY,
26 in that ALAMAR CYRIL HOUSTON did willfully, unlawfully,
27 maliciously, and with no legal justification strike, beat, kick,
28 cut, stab, shoot with a firearm, administer any poison or other

1 harmful or stupefying substance to, and throw, hurl, or project
2 at, and place any rock, object, or other substance which is used
3 in such a manner as to be capable of producing injury and likely
4 to produce injury, on or in the path of, any horse being used
5 by, or any dog under the supervision of, any peace officer in
6 the discharge or attempted discharge of his or her duties. It
7 is further alleged that an injury was inflicted upon such
8 animal.

9 Count 18 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
10 did commit a MISDEMEANOR, namely, a violation of Section
11 148(a)(1) of the California Penal Code, RESISTING OR OBSTRUCTING
12 PEACE OFFICER in that ALAMAR CYRIL HOUSTON did willfully and
13 unlawfully resist, delay or obstruct any peace officer in the
14 discharge of and in the attempt to discharge a duty of said
15 person's employment and office, to wit, West Sacramento Police
16 Officer Dan Gill.

17 Count 19 : On or about June 30, 2015, ALAMAR CYRIL HOUSTON
18 did commit a MISDEMEANOR, namely, a violation of Section
19 11550(a) of the California Health and Safety Code, UNLAWFUL USE
20 OR INFLUENCE OF A CONTROLLED SUBSTANCE, in that ALAMAR CYRIL
21 HOUSTON did willfully and unlawfully use and be under the
22 influence of a controlled substance, to wit, methamphetamine.

23 Case Enhancement a : It is further alleged that ALAMAR
24 CYRIL HOUSTON was previously convicted of a serious felony
25 within the meaning of Section 667(c) and 667(e)(1) of the
26 California Penal Code, ENHANCEMENT FOR ONE PRIOR FELONY
27 CONVICTION THAT PROHIBITS PROBATION, LIMITS CREDITS, REQUIRES
28 CONSECUTIVE SENTENCING, AND MANDATES PRISON COMMITMENT, in that

1 ALAMAR CYRIL HOUSTON was convicted of a prior felony as defined
2 in Section 667(d) of the California Penal Code, and listed in
3 Sections 667.5(c) and 1192.7(a) of the Penal Code, and Section
4 707(b) of the Welfare and Institutions Code, to wit, a
5 conviction for a violation of Section 211 of the California
6 Penal Code, in the County of Sacramento, Case No. 01F00836 (Date
7 of conviction: 05/30/01; Date of sentence: 05/30/01).

8 Case Enhancement b : It is further alleged that ALAMAR
9 CYRIL HOUSTON was previously convicted of a serious felony
10 within the meaning of Section 667(a)(1) of the California Penal
11 Code, ENHANCEMENT FOR HABITUAL CRIMINALS, in that ALAMAR CYRIL
12 HOUSTON was convicted of a serious felony listed in Section
13 1192.7 of the Penal Code, to wit, Section 211 of the California
14 Penal Code, in the County of Sacramento, Case No. 01F00836 (Date
15 of conviction: 05/30/01; Date of sentence: 05/30/01).

16 Case Enhancement c : It is further alleged that ALAMAR
17 CYRIL HOUSTON was previously convicted of a felony within the
18 meaning of Section 667.5(b) of the California Penal Code,
19 ENHANCEMENT FOR PRIOR PRISON TERM, in that ALAMAR CYRIL HOUSTON
20 was convicted of a felony violation of Section 4573.6 of Penal
21 Code in the County of Solano (Case No. FCR223595), and that
22 ALAMAR CYRIL HOUSTON served a prison term for such conviction
23 and that ALAMAR CYRIL HOUSTON has not remained free of prison
24 custody or free of a felony conviction for five years, within
25 the meaning of Section 667.5 of the Penal Code (Date of
26 conviction: 02/15/06; Date of sentence: 02/15/06).

27 Case Enhancement d : It is further alleged that ALAMAR
28 CYRIL HOUSTON was previously convicted of a felony within the

1 meaning of Section 667.5(b) of the California Penal Code,
2 ENHANCEMENT FOR PRIOR PRISON TERM, in that ALAMAR CYRIL HOUSTON
3 was convicted of a felony violation of Section 4530(b) of the
4 Penal Code in the County of San Joaquin (Case No. SF083989A),
5 and that ALAMAR CYRIL HOUSTON served a prison term for such
6 conviction and that ALAMAR CYRIL HOUSTON has not remained free
7 of prison custody or free of a felony conviction for five years,
8 within the meaning of Section 667.5 of the Penal Code. (Date of
9 conviction: 04/23/03; Date of sentence: 04/23/03).

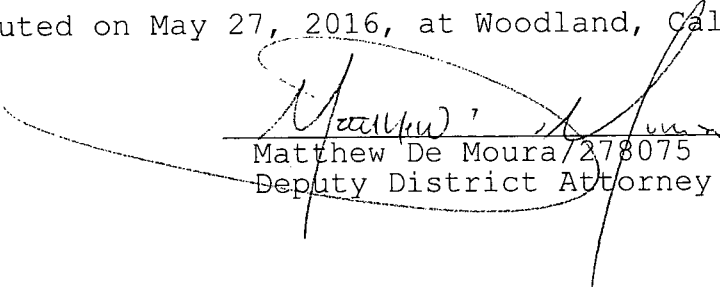
10 Case Enhancement e : It is further alleged that ALAMAR
11 CYRIL HOUSTON was previously convicted of a felony within the
12 meaning of Section 667.5(b) of the California Penal Code,
13 ENHANCEMENT FOR PRIOR PRISON TERM, in that ALAMAR CYRIL HOUSTON
14 was convicted of a felony violation of Section 211 of the Penal
15 Code in the County of Sacramento (Case No.01F00836), and that
16 ALAMAR CYRIL HOUSTON served a prison term for such conviction
17 and that ALAMAR CYRIL HOUSTON has not remained free of prison
18 custody or free of a felony conviction for five years, within
19 the meaning of Section 667.5 of the Penal Code. (Date of
20 conviction: 05/30/01; Date of sentence: 05/30/01).

21 Case Enhancement f : It is further alleged that ALAMAR
22 CYRIL HOUSTON was previously convicted of a felony within the
23 meaning of Section 667.5(b) of the California Penal Code,
24 ENHANCEMENT FOR PRIOR PRISON TERM, in that ALAMAR CYRIL HOUSTON
25 was convicted of a felony violation of Section 12021(a) of the
26 Penal Code in the County of Sacramento (Case No. 98F07452), and
27 that ALAMAR CYRIL HOUSTON served a prison term for such
28 conviction and that ALAMAR CYRIL HOUSTON has not remained free

1 of prison custody or free of a felony conviction for five years,
2 within the meaning of Section 667.5 of the Penal Code (Date of
3 conviction: 09/02/98; Date of sentence: 09/09/98).

4 I declare under penalty of perjury that the foregoing is
5 correct.

6 Executed on May 27, 2016, at Woodland, California.

7
8 
9 Matthew De Moura/278075
10 Deputy District Attorney
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28