

TULARE COUNTY SUPERIOR COURT DISTRICT  
PORTERVILLE DIVISION, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

DA No. 22-0002717

vs.

Court No.

GIOVANNI ABUJALIL DOB: 11/08/1989  
AKA: JULIO GIOVANNI ABUJALIL DOB: 11/08/1989

**FELONY COMPLAINT  
Two Strikes**

Defendant(s).

The undersigned is informed and believes that:

**COUNT 1**

On or about January 27, 2022, in the County of Tulare, the crime of MURDER, in violation of PENAL CODE SECTION 187(A), a Felony, was committed by GIOVANNI ABUJALIL, who did unlawfully, and with malice aforethought murder JA, a human being.

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

**SPEC ALLEG-USE OF DEADLY WEAPON**

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

**SPEC ALLEG- 2/3 STRIKES (ONE PRIOR)**

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) that said defendant(s) GIOVANNI ABUJALIL, has suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

| COURT<br>CASE NO. | CODE/<br>STATUTE | CONVICTION<br>DATE | COUNTY      | STATE      | COURT TYPE |
|-------------------|------------------|--------------------|-------------|------------|------------|
| BURGA0809821      | PC459            | 10/07/10           | Los Angeles | California | Superior   |

**SPEC ALLEG-TWO OR MORE PRIOR FELONY CONVICTIONS-ELIGIBILITY FOR PROBATION**

It is further alleged as to count(s) that said defendant(s) GIOVANNI ABUJALIL, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

| COURT<br>CASE NO. | CODE/<br>STATUTE | CONVICTION<br>DATE | COUNTY      | STATE      | COURT TYPE |
|-------------------|------------------|--------------------|-------------|------------|------------|
| LAVLA06072302     | PC487(c)         | 12/1/08            | Los Angeles | California | Superior   |
| BURGA07727101     | PC496(b)         | 8/3/09             | Los Angeles | California | Superior   |
| BURGA0809821      | PC459            | 10/07/10           | Los Angeles | California | Superior   |
| XCNBA39299401     | PC245(a)(4)      | 5/24/12            | Los Angeles | California | Superior   |
| BV007279A         | PC3445(a)        | 2/3/17             | Kern        | California | Superior   |
| BV007541A         | PC3445(a)        | 4/12/17            | Kern        | California | Superior   |
| BV008139A         | PC3445(a)        | 12/20/17           | Kern        | California | Superior   |
| BF169725A         | PC368(b)(1)      | 12/20/17           | Kern        | California | Superior   |
| BV009087          | PC3445(a)        | 6/5/18             | Kern        | California | Superior   |
| BV009190A         | PC3445(a)        | 6/22/18            | Kern        | California | Superior   |
| BV009260          | PC3445(a)        | 7/9/18             | Kern        | California | Superior   |
| BF176448A         | PC368(b)(1)      | 7/18/19            | Kern        | California | Superior   |

**COUNT 2**

On or about January 27, 2022, in the County of Tulare, the crime of ELDER OR DEPENDENT ADULT ABUSE, RESULTING DEATH, in violation of PENAL CODE SECTION 368(B)(1), a Felony, was committed by GIOVANNI ABUJALIL, who did, under circumstances and conditions likely to produce great bodily harm and death, knowingly and willfully cause and permit the victim, JA, an elder and dependent adult, to suffer, and inflicted thereon, unjustifiable physical pain and mental suffering and, having the care and custody of said victim, willfully caused and permitted him to be placed in a situation in which his health was endangered, and knew and reasonably should have known that said person, JA, was an elder and dependent adult.

It is further alleged, pursuant to section 368(a)(3), that the defendant(s) GIOVANNI ABUJALIL, proximately caused the death of said victim, age 75 years.

**SPEC ALLEG-USE OF DEADLY WEAPON**

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

**SPEC ALLEG- 2/3 STRIKES (ONE PRIOR)**

It is further alleged pursuant to Penal Code sections 1170.12(a) through (d) and 667(b) through (i) that said defendant(s) GIOVANNI ABUJALIL, has suffered the following prior convictions of a serious or violent felony or juvenile adjudication:

| COURT<br>CASE NO. | CODE/<br>STATUTE | CONVICTION<br>DATE | COUNTY      | STATE      | COURT TYPE |
|-------------------|------------------|--------------------|-------------|------------|------------|
| BURGA0809821      | PC459            | 10/07/10           | Los Angeles | California | Superior   |

**SPEC ALLEG-TWO OR MORE PRIOR FELONY CONVICTIONS-ELIGIBILITY FOR PROBATION**

It is further alleged as to count(s) that said defendant(s) GIOVANNI ABUJALIL, was convicted of the following felonies, within the meaning of Penal Code section 1203(e)(4):

| COURT CASE NO. | CODE/ STATUTE | CONVICTION DATE | COUNTY      | STATE      | COURT TYPE |
|----------------|---------------|-----------------|-------------|------------|------------|
| LAVLA06072302  | PC487(c)      | 12/1/08         | Los Angeles | California | Superior   |
| BURGA07727101  | PC496(b)      | 8/3/09          | Los Angeles | California | Superior   |
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| XCNBA39299401  | PC245(a)(4)   | 5/24/12         | Los Angeles | California | Superior   |
| BV007279A      | PC3445(a)     | 2/3/17          | Kern        | California | Superior   |
| BV007541A      | PC3445(a)     | 4/12/17         | Kern        | California | Superior   |
| BV008139A      | PC3445(a)     | 12/20/17        | Kern        | California | Superior   |
| BF169725A      | PC368(b)(1)   | 12/20/17        | Kern        | California | Superior   |
| BV009087       | PC3445(a)     | 6/5/18          | Kern        | California | Superior   |
| BV009190A      | PC3445(a)     | 6/22/18         | Kern        | California | Superior   |
| BV009260       | PC3445(a)     | 7/9/18          | Kern        | California | Superior   |
| BF176448A      | PC368(b)(1)   | 7/18/19         | Kern        | California | Superior   |

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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.

Pursuant to People v. Cunningham, the People hereby put the defendant on notice that the aggravated sentence may be sought in this case.

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

Executed at PORTERVILLE DIVISION, California, on 01/31/2022.

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AVROHOM FEINSTEIN  
DEPUTY DISTRICT ATTORNEY

Agency: TULARE COUNTY SHERIFF'S OFFICE

| <u>DEFENDANT NAME</u> | <u>SEX</u> | <u>RACE</u> | <u>HGT</u> | <u>WGT</u> | <u>EYES</u> | <u>HAIR</u> | <u>COURT DATE</u> | <u>INTAKE STATUS</u> |
|-----------------------|------------|-------------|------------|------------|-------------|-------------|-------------------|----------------------|
| Giovanni Abujalil     | M          |             | 5'11       | 185        | Brown       | Black       |                   | IC                   |

COMPLAINT PROCESSED BY: AB