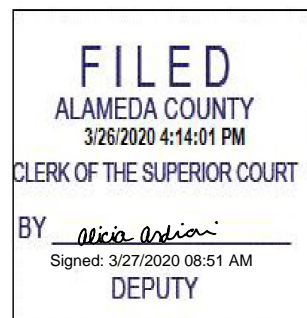


SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA



PEOPLE OF THE STATE OF CALIFORNIA

NO. **20-CR-004918A**

v.

COMPLAINT

**MERCEDES ASKEW**

PFN:BMQ846

CEN:0491513

**HOSEA ASKEW**

PFN:BMQ845

CEN:0491511

Defendant(s)

The undersigned, being sworn says, on information and belief, that HOSEA ASKEW did, in the County of Alameda, on or about **March 20, 2020**, commit a FELONY, to wit: MURDER, a violation of section 187(a) of the PENAL CODE of California, in that said defendant(s) did unlawfully, and with malice aforethought, murder DIANTE CRAIG, 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)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

**SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI AS TO DEFENDANT HOSEA ASKEW**

It is further alleged that during the commission of the above offense, HOSEA ASKEW personally and intentionally discharged a firearm, and caused great bodily injury and death to DIANTE CRAIG within the meaning of Penal Code sections 12022.7(a) and 12022.53(d). It is further alleged that said defendant personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c). It is further alleged that HOSEA ASKEW personally used a firearm within the meaning of Penal Code sections 12022.5(a) and 12022.53(b). It is further alleged that probation shall not be granted to said defendant pursuant to Penal Code section 1203.06(a) and 12022.53(g).

**SPECIAL ALLEGATION-USE OF FIREARM AS TO DEFENDANT HOSEA ASKEW**

It is further alleged that in the commission and attempted commission of the above offense, the said , personally used a firearm within the meaning of Penal Code section 1203.06(a)(1) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8).

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO DEFENDANT HOSEA ASKEW**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

## SECOND COUNT

The undersigned further deposes and says on information and belief, that said HOSEA ASKEW did, in the County of Alameda, on or about **March 20, 2020**, commit a FELONY, to wit: SHOOTING AT OCCUPIED MOTOR VEHICLE, a violation of section 246 of the PENAL CODE of California, in that said defendant(s) did willfully, unlawfully, and maliciously discharge a firearm at an occupied motor vehicle.

"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)."

"NOTICE: It is further alleged that, pursuant to Penal Code section 1203.095, there is a presumptive minimal jail time required if you are convicted of this charge."

### **SPEC ALLEG-PERSONAL AND INTENTIONAL DISCHARGE OF A FIREARM, GBI AS TO DEFENDANT HOSEA ASKEW**

It is further alleged as to the above count that said personally and intentionally discharged a firearm, and caused great bodily injury and death to DIANTE CRAIG within the meaning of Penal Code sections 12022.7(a) and 12022.53(d). It is further alleged that defendant personally inflicted great bodily injury on another person within the meaning of Penal Code section 12022.7. It is further alleged that said defendant personally and intentionally discharged a firearm within the meaning of Penal Code section 12022.53(c). It is further alleged that said personally used a firearm within the meaning of Penal Code sections 12022.5(a) and 12022.53(b). It is further alleged that probation shall not be granted to said defendant pursuant to Penal Code section 1203.06(a) and 12022.53(g).

### **SPECIAL ALLEGATION-USE OF FIREARM AS TO DEFENDANT HOSEA ASKEW**

It is further alleged that in the commission and attempted commission of the above offense, the said , personally used a firearm within the meaning of Penal Code section 1203.06(a)(1) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8).

### **969F - PERSONAL USE OF FIREARM/DEADLY WEAPON AS TO DEFENDANT HOSEA ASKEW**

It is further alleged that in the commission and attempted commission of the foregoing offense, the defendant used a firearm, to wit a: 9MM SEMI AUTO HANDGUN within the meaning of Penal Code Sections 969f, 667.5 and 1192.7.

### **NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO DEFENDANT HOSEA ASKEW**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

## THIRD COUNT

The undersigned further deposes and says on information and belief, that said HOSEA ASKEW did, in the County of Alameda, on or about **March 20, 2020**, commit a FELONY, to wit: ASSAULT WITH A SEMIAUTOMATIC FIREARM, a violation of section 245(b) of the PENAL CODE of California, in that said defendant(s) did willfully and unlawfully commit an assault upon IMANI BOLTON with a semiautomatic firearm. "NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)."

"NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime."

### **SPECIAL ALLEGATION-USE OF FIREARM (12022.5) AS TO DEFENDANT HOSEA ASKEW**

It is further alleged that in the commission and attempted commission of the above offense, the said , personally used a firearm within the meaning of Penal Code section 12022.5(a) also causing the above offense to become a serious felony pursuant to Penal Code section 1192.7(c)(8) and a violent felony within the meaning of Penal Code section 667.5(c)(8).

**NOTICE PROVISION-RE STATE PRISON ELIGIBILITY- VIOLENT FELONY AS TO  
DEFENDANT HOSEA ASKEW**

It is further alleged that the above offense is a violent felony within the meaning of Penal Code section 667.5(c) and that pursuant to Penal Code section 1170(h)(3) an executed sentence for the offenses herein charged shall be served in the state prison.

**FOURTH COUNT**

The undersigned further deposes and says on information and belief, that said MERCEDES ASKEW did, in the County of Alameda, on or about **March 20, 2020**, commit a FELONY, to wit: ACCESSORY AFTER THE FACT-(KNOWLEDGE OF CRIME), a violation of section 32 of the PENAL CODE of California, in that said defendant(s) unlawfully, having knowledge that the crime of HOMICIDE, a felony, in violation of Section 187(A) of the PENAL CODE Code of the State of California had been committed by HOSEA ASKEW, did harbor, conceal, and aid said HOSEA ASKEW, with the intent that he/she might avoid and escape from arrest, trial, conviction, and punishment for said felony.

---

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Subscribed and sworn to before me,  
Thursday, March 26, 2020

This document was filed electronically in  
compliance with Penal Code section 959.1



PAUL PINNEY  
Deputy District Attorney  
State Bar #146351  
Alameda County, California

BPD 2020-00015724