

Date: 09/24/2024

By: Rosemary Beth

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SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN
STOCKTON BRANCH

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

SIM JACKSON,

Defendant(s).

No. SP24-28883
STOCKTON POLICE
DEPARTMENT CASE
DA Case: 0975295

Complaint No: 202409244022

COMPLAINT
2nd STRIKE CASE

I, the undersigned, say, on information and belief, that in the County of SAN JOAQUIN, State of California:

COUNT 1: CODE SECTION PC 187(A) WILLFUL, DELIBERATE, PREMEDITATED MURDER

On or about September 21, 2024 in the County of San Joaquin, California, SIM JACKSON did commit the crime of WILLFUL, DELIBERATE, PREMEDITATED MURDER, in violation of Section 187(a) of the Penal Code, a FELONY, who at the time and place last aforesaid did willfully, unlawfully, and with malice aforethought murder KEYERA SHEPARD a human

being. It is further alleged that the aforesaid murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code Section 189 and is a serious felony pursuant to Penal Code Section 1192.7(c).

**ENHANCEMENT: INTENTIONAL DISCHARGE OF A FIREARM GBI/DEATH
PC12022.53(D)**

It is further alleged that SIM JACKSON personally and intentionally discharged a firearm, to-wit: SEMI-AUTOMATIC HANDGUN which proximately caused great bodily injury and death to KEYERA SHEPARD within the meaning of Penal Code Section 12022.53(D).

ENHANCEMENT: PRIOR SERIOUS FELONY PC1170.12(B)

It is further alleged that said defendant, SIM JACKSON, was on or about 12/9/22, in the Superior Court for the County of Stanislaus, State of California, convicted of the crime of SHOOTING FIREARM FROM VEHICLE AT PERSON, in violation of Section 26100(C) of the PENAL Code, within the meaning of Penal Code Sections 1170.12(b) and 667(d).

VIOLENCE: Rule of Court 4.421(a)(1)

It is further alleged that said defendant, committed the above crime with great violence, great bodily harm, threat of great bodily harm, and/or other acts disclosing a high degree of cruelty, viciousness, or callousness, as set forth Rule of Court 4.421(a)(1) and Penal Code section 1170(b).

WEAPON: Rule of Court 4.421(a)(2)

It is further alleged that said defendant committed the above crime while armed with and/or used a weapon, as set forth in Rule of Court 4.421(a)(2) and Penal Code section 1170(b).

PLANNING: Rule of 4.421(a)(8)

1 It is further alleged that said defendant committed the above crime in a way that indicates
2 planning, sophistication, and/or professionalism, as set forth in Rule of Court 4.421(a)(8) and
3 Penal Code section 1170(b).

4
5 VIOLENT: Rule of Court 4.421(b)(1)

6 It is further alleged that said defendant in the commission of the crime has engaged in violent
7 conduct that indicates a serious danger to society, as set forth in Rule of Court 4.421(b)(1) and
8 Penal Code section 1170(b).

9
10 NUMEROUS PRIORS: Rule of Court 4.421(b)(2)

11 It is further alleged that said defendant sustained prior convictions as an adult and/or sustained
12 petitions in juvenile delinquency proceedings are numerous and/or of increasing seriousness, as
13 set forth in Rule of Court 4.421(b)(2) and Penal Code section 1170(b).

14
15 UNSATISFACTORY PERFORMANCE: Rule of Court 4.421(b)(5)

16 It is further alleged that said defendant had a prior performance on probation, mandatory
17 supervision, post-release community supervision, or parole which was unsatisfactory, as set forth
18 in Rule of Court 4.421(b)(5) and Penal Code section 1170(b).

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20 For a further and separate cause of complaint, being a different offense from but connected in
21 its commission with the charge(s) above, complainant further complains and says:

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23 **COUNT 2: CODE SECTION PC 664/187(A) ATTEMPTED MURDER:WILLFUL,**
24 **DELIBERATE, PREMEDITATED**

25 On or about September 21, 2024 in the County of San Joaquin, California, SIM JACKSON did
26 commit the crime of ATTEMPTED MURDER: WILLFUL, DELIBERATE, AND
27 PREMEDITATED, in violation of Section 664/187(a) of the Penal Code, a FELONY, who at
28

the time and place last aforesaid, did willfully, unlawfully, deliberately, with premeditation and malice aforethought, attempt to murder, K.B., AGE 6 MONTHS, A HUMAN BEING. It is further alleged that the above offense is a serious and violent felony within the meaning of Penal Code Sections 1192.7(c)(39) and 667.5(c)(12).

**ENHANCEMENT: INTENTIONAL DISCHARGE OF A FIREARM GBI/DEATH
PC12022.53(D)**

It is further alleged that SIM JACKSON personally and intentionally discharged a firearm, to-wit: SEMI-AUTOMATIC HANDGUN which proximately caused great bodily injury and death to Confidential Victim within the meaning of Penal Code Section 12022.53(D).

ENHANCEMENT: PRIOR SERIOUS FELONY PC1170.12(B)

It is further alleged that said defendant, SIM JACKSON, was on or about 12/9/22, in the Superior Court for the County of Stanislaus, State of California, convicted of the crime of SHOOTING FIREARM FROM VEHICLE AT PERSON, in violation of Section 26100(C) of the PENAL Code, within the meaning of Penal Code Sections 1170.12(b) and 667(d).

VIOLENCE: Rule of Court 4.421(a)(1)

It is further alleged that said defendant, committed the above crime with great violence, great bodily harm, threat of great bodily harm, and/or other acts disclosing a high degree of cruelty, viciousness, or callousness, as set forth Rule of Court 4.421(a)(1) and Penal Code section 1170(b).

WEAPON: Rule of Court 4.421(a)(2)

It is further alleged that said defendant committed the above crime while armed with and/or used a weapon, as set forth in Rule of Court 4.421(a)(2) and Penal Code section 1170(b).

VULNERABLE: Rule of Court 4.421(a)(3)

1 It is further alleged that said defendant committed the above crime upon a victim that was
2 particularly vulnerable, as set forth in Rule of Court 4.421(a)(3) and Penal Code section 1170(b).

3
4 PLANNING: Rule of 4.421(a)(8)

5 It is further alleged that said defendant committed the above crime in a way that indicates
6 planning, sophistication, and/or professionalism, as set forth in Rule of Court 4.421(a)(8) and
7 Penal Code section 1170(b).

8
9 VIOLENT: Rule of Court 4.421(b)(1)

10 It is further alleged that said defendant in the commission of the crime has engaged in violent
11 conduct that indicates a serious danger to society, as set forth in Rule of Court 4.421(b)(1) and
12 Penal Code section 1170(b).

13
14 NUMEROUS PRIORS: Rule of Court 4.421(b)(2)

15 It is further alleged that said defendant sustained prior convictions as an adult and/or sustained
16 petitions in juvenile delinquency proceedings are numerous and/or of increasing seriousness, as
17 set forth in Rule of Court 4.421(b)(2) and Penal Code section 1170(b).

18
19 UNSATISFACTORY PERFORMANCE: Rule of Court 4.421(b)(5)

20 It is further alleged that said defendant had a prior performance on probation, mandatory
21 supervision, post-release community supervision, or parole which was unsatisfactory, as set forth
22 in Rule of Court 4.421(b)(5) and Penal Code section 1170(b).

23
24 For a further and separate cause of complaint, being a different offense from but connected in
25 its commission with the charge(s) above, complainant further complains and says:

**COUNT 3: CODE SECTION PC 245(B) ASSAULT WITH SEMIAUTOMATIC
FIREARM**

On or about September 21, 2024 in the County of San Joaquin, California, SIM JACKSON did commit the crime of ASSAULT WITH SEMIAUTOMATIC FIREARM, in violation of Section 245(b) of the Penal Code, a FELONY, who at the time and place last aforesaid, did willfully and unlawfully commit an assault upon AALIYAH THOMAS with a semiautomatic firearm.

ENHANCEMENT: PRIOR SERIOUS FELONY PC1170.12(B)

It is further alleged that said defendant, SIM JACKSON, was on or about 12/9/22, in the Superior Court for the County of Stanislaus, State of California, convicted of the crime of SHOOTING FIREARM FROM VEHICLE AT PERSON, in violation of Section 26100(C) of the PENAL Code, within the meaning of Penal Code Sections 1170.12(b) and 667(d).

ENHANCEMENT: USE OF FIREARM IN COMMISSION OF FELONY PC12022.5(A)

It is further alleged that in the commission and attempted commission of the above offense, the said defendant SIM JACKSON personally used firearm(s), within the meaning of Penal Code Section 1203.06(a)(1) and 12022.5(a) and also causing the above to become a serious felony pursuant to Penal Code Section 1192.7(c)(8).

ENHANCEMENT: INFLECTION OF GREAT BODILY INJURY PC12022.7(E)

It is further alleged that in the commission of the above offense the said defendant, SIM JACKSON, personally inflicted great bodily injury under circumstances involving domestic violence upon AALIYAH THOMAS, within the meaning of Penal Code Section 12022.7(e) and also causing the above offense to be a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

VIOLENCE: Rule of Court 4.421(a)(1)

It is further alleged that said defendant, committed the above crime with great violence, great bodily harm, threat of great bodily harm, and/or other acts disclosing a high degree of cruelty, viciousness, or callousness, as set forth Rule of Court 4.421(a)(1) and Penal Code section 1170(b).

WEAPON: Rule of Court 4.421(a)(2)

It is further alleged that said defendant committed the above crime while armed with and/or used a weapon, as set forth in Rule of Court 4.421(a)(2) and Penal Code section 1170(b).

PLANNING: Rule of 4.421(a)(8)

It is further alleged that said defendant committed the above crime in a way that indicates planning, sophistication, and/or professionalism, as set forth in Rule of Court 4.421(a)(8) and Penal Code section 1170(b).

VIOLENT: Rule of Court 4.421(b)(1)

It is further alleged that said defendant in the commission of the crime has engaged in violent conduct that indicates a serious danger to society, as set forth in Rule of Court 4.421(b)(1) and Penal Code section 1170(b).

NUMEROUS PRIORS: Rule of Court 4.421(b)(2)

It is further alleged that said defendant sustained prior convictions as an adult and/or sustained petitions in juvenile delinquency proceedings are numerous and/or of increasing seriousness, as set forth in Rule of Court 4.421(b)(2) and Penal Code section 1170(b).

UNSATISFACTORY PERFORMANCE: Rule of Court 4.421(b)(5)

It is further alleged that said defendant had a prior performance on probation, mandatory supervision, post-release community supervision, or parole which was unsatisfactory, as set forth in Rule of Court 4.421(b)(5) and Penal Code section 1170(b).

For a further and separate cause of complaint, being a different offense from but connected in its commission with the charge(s) above, complainant further complains and says:

**COUNT 4: CODE SECTION PC 245(D)(2) ASSAULT W/SEMI-AUTO FIREARM
PEACE OFFICER**

On or about September 21, 2024 in the County of San Joaquin, California, SIM JACKSON did commit the crime of ASSAULT ON PEACE OFFICER/FIREFIGHTER WITH SEMIAUTOMATIC FIREARM, in violation of Section 245(d)(2) of the Penal Code, a FELONY, who at the time and place last aforesaid, did willfully and unlawfully commit an assault with a semiautomatic firearm on ALEXANDER CLARE when the defendant knew and should have known that said victim was a PEACE OFFICER then and there engaged in the performance of duty.

ENHANCEMENT: PRIOR SERIOUS FELONY PC1170.12(B)

It is further alleged that said defendant, SIM JACKSON, was on or about 12/9/22, in the Superior Court for the County of Stanislaus, State of California, convicted of the crime of SHOOTING FIREARM FROM VEHICLE AT PERSON, in violation of Section 26100(C) of the PENAL Code, within the meaning of Penal Code Sections 1170.12(b) and 667(d).

ENHANCEMENT: INTENTIONAL & PERSONAL DISCHARGE OF A FIREARM
PC12022.53(C)

It is further alleged that said SIM JACKSON personally and intentionally discharged a firearm, to-wit: SEMI-AUTOMATIC HANDGUN within the meaning of Penal Code Section 12022.53(c).

VIOLENCE: Rule of Court 4.421(a)(1)

It is further alleged that said defendant, committed the above crime with great violence, great bodily harm, threat of great bodily harm, and/or other acts disclosing a high degree of cruelty, viciousness, or callousness, as set forth Rule of Court 4.421(a)(1) and Penal Code section 1170(b).

WEAPON: Rule of Court 4.421(a)(2)

It is further alleged that said defendant committed the above crime while armed with and/or used a weapon, as set forth in Rule of Court 4.421(a)(2) and Penal Code section 1170(b).

PLANNING: Rule of 4.421(a)(8)

It is further alleged that said defendant committed the above crime in a way that indicates planning, sophistication, and/or professionalism, as set forth in Rule of Court 4.421(a)(8) and Penal Code section 1170(b).

VIOLENT: Rule of Court 4.421(b)(1)

It is further alleged that said defendant in the commission of the crime has engaged in violent conduct that indicates a serious danger to society, as set forth in Rule of Court 4.421(b)(1) and Penal Code section 1170(b).

1 NUMEROUS PRIORS: Rule of Court 4.421(b)(2)

2 It is further alleged that said defendant sustained prior convictions as an adult and/or sustained
3 petitions in juvenile delinquency proceedings are numerous and/or of increasing seriousness, as
4 set forth in Rule of Court 4.421(b)(2) and Penal Code section 1170(b).

5
6 UNSATISFACTORY PERFORMANCE: Rule of Court 4.421(b)(5)

7 It is further alleged that said defendant had a prior performance on probation, mandatory
8 supervision, post-release community supervision, or parole which was unsatisfactory, as set forth
9 in Rule of Court 4.421(b)(5) and Penal Code section 1170(b).

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11 If the above-named defendant(s) is/are presently on probation in San Joaquin County, any
12 evidence presented at a preliminary hearing in the instant case will be used not only as a basis
13 for a holding order in this case but also as evidence of a violation of probation and, at any
14 formal hearing on that violation of probation, the People will move the transcript of the
15 preliminary hearing into evidence as a basis for the violation.

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17 Pursuant to Penal Code Section 1054.5(b), the People hereby informally request that the
18 defendant and their attorney disclose to the People all information and materials described in
19 Penal Code Section 1054.3.

20 I declare under penalty of perjury that the foregoing is true and correct except for those things
21 stated on information and belief and those I believe to be true.

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23 Executed on September 24, 2024, at Stockton, California.

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26 ELIZABETH O'HARA
27 Chief Deputy District Attorney

28 EO/md