

JEANNINE M. PACIONI
District Attorney
MONTEREY COUNTY
By: Kellin C. Dunne #280602
Deputy District Attorney
142 W. Alisal Street, Suite A
Salinas, CA 93901

Telephone: (831) 755-5070

Attorneys for Plaintiff

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MONTEREY
SALINAS DIVISION

The People of the State of California

Plaintiff,

vs.

Pedro Nava
Aka , 24CR003714
IC
Booking Number: 2403170

Jonathan Leal Cervantes
Aka 24CR003715
ICO
Booking Number: 2402070

Defendants.

No. 24CR003714

MCSO
FG2400515

DA Co-Def File No.

DA#959531
DA#959535

COMPLAINT

ARR: 05/10/2024 8:30 AM

The District Attorney of Monterey County, California hereby accuses the above named defendants of the following criminal offenses occurring in the County of Monterey, State of California.

Count 1 PC187(a): WILLFUL, DELIBERATE, AND PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes

On or about February 4, 2024, in the County of Monterey, the crime of WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC187(a), a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN LEAL CERVANTES did unlawfully and with malice aforethought murder Jack

1 Canchola , a Human Being. It is further alleged that the aforesaid murder was committed willfully,
2 deliberately and with premeditation within the meaning of Penal Code section 189 and is a violent
3 felony pursuant to Penal Code section 667.5(a)(c)(1).

4 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
5 1192.7(c).

6 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

7
8 **ENHANCEMENT 1**

9 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
10 **SENTENCE**

11 It is further alleged that the offense(s) charged in Count(s) 1, that the above offense was committed
12 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
13 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
14 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
15 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

16
17 **ENHANCEMENT 2**

18 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
19 **ABETTOR**

20 It is further alleged as to Count I, that a principal personally and intentionally discharged a firearm,
21 a handgun, which proximately caused great bodily injury and/or death to Jack Canchola within the
22 meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to be a
23 violent felony within the meaning of Penal Code section 667.5(c)(8).

24
25 **Count 2 PC187(a): WILLFUL, DELIBERATE, AND PREMEDITATED MURDER -**
26 **FELONY as to Pedro Nava and Jonathan Leal Cervantes**

27 On or about February 4, 2024, in the County of Monterey, the crime of WILLFUL,
28 DELIBERATE, AND PREMEDITATED MURDER in violation of PC187(a), a FELONY, was

1 committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA
2 AND JONATHAN LEAL CERVANTES did unlawfully and with malice aforethought murder
3 Salvador Andres Garcia, a Human Being. It is further alleged that the aforesaid murder was
4 committed willfully, deliberately and with premeditation within the meaning of Penal Code section
5 189 and is a violent felony pursuant to Penal Code section
6 667.5(a)(c)(1).

7 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
8 1192.7(c).

9 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

10
11 **ENHANCEMENT 1**

12 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
13 **SENTENCE**

14 It is further alleged that the offense(s) charged in Count(s) 2, that the above offense was committed
15 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
16 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
17 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
18 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

19
20 **ENHANCEMENT 2**

21 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
22 **ABETTOR**

23 It is further alleged as to Count 2, that a principal personally and intentionally discharged a firearm,
24 a handgun, which proximately caused great bodily injury and/or death to Salvador Andres Garcia
25 within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to
26 be a violent felony within the meaning of Penal Code section 667.5(c)(8).

1 **ENHANCEMENT 3 (Counts 1 and 2)**

2 **PC190.2(a)(3): SPECIAL ALLEGATION - MULTIPLE MURDER**

3 It is further alleged that the offenses charges in Count(s) 1 and 2 represent the special circumstance
4 of Multiple Murder within the meaning of Penal Code Section 190.2(a)(3).

5
6 **ENHANCEMENT 4 (COUNTS 1 and 2)**

7 **PC190.2(a)(22): SPECIAL ALLEGATION - STREET GANG MURDER**

8 It is further alleged as to Counts 1 and 2, pursuant to Penal Code Section 190.2(a)(22), that the
9 defendants, JONATHAN LEAL CERVANTES AND PEDRO NAVA intentionally killed Jack
10 Canchola and Salvador Andres Garcia while the defendants was an active participant in a criminal
11 street gang and the murder was carried out to further the activities of the criminal street gang.

12
13 **Count 3 PC182(a)(1): CONSPIRACY TO COMMIT A CRIME - FELONY as to Pedro Nava**
14 **and Jonathan Leal Cervantes**

15 On or about February 4, 2024, in the County of Monterey, the crime of CONSPIRACY TO
16 COMMIT A CRIME in violation of PC182(a)(1), a FELONY, was committed by PEDRO NAVA
17 AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN LEAL
18 CERVANTES did unlawfully conspire together and with another person and persons whose identity
19 is unknown to commit a felony, to wit: Murder in the First Degree (PC187)

20 Further, that pursuant to and for the purpose of carrying out the objectives and purposes of the
21 aforesaid conspiracy, PEDRO NAVA AND JONATHAN LEAL CERVANTES or a co-conspirator,
22 committed the following overt act and acts at and in the County of Monterey:

- 23 1. 2/3/24 Jonathan Cervantes and Angel E. obtained ammunition
24 2. 2/4/24 Pedro Nava communicated with Angel E. about perceived rival gang members within the
25 County of Monterey
26 3. 2/4/24 Jonathan Cervantes and Angel E. drove to the area of Los Coches road while armed with a
27 firearm

1 **ENHANCEMENT 1**

2 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
3 **SENTENCE**

4 It is further alleged that the offense(s) charged in Count(s) 3, that the above offense was committed
5 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
6 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
7 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
8 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

9
10 **Count 4 PC246: SHOOTING AT OCCUPIED MOTOR VEHICLE - FELONY as to Pedro**
11 **Nava and Jonathan Leal Cervantes**

12 On or about February 4, 2024, in the County of Monterey, the crime of SHOOTING AT
13 OCCUPIED MOTOR VEHICLE in violation of PC246, a FELONY, was committed by PEDRO
14 NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN
15 LEAL CERVANTES did willfully, unlawfully, and maliciously discharge a firearm at an occupied
16 motor vehicle.

17 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
18 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c).

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

21 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
22 1192.7(c).

23
24 **ENHANCEMENT 1**

25 **PC186.22(b)(1) / 186.22(b)(4): SPECIAL ALLEGATION - STREET TERRORISM**

26 It is further alleged pursuant to Penal Code section 186.22(b)(1) / 186.22(b)(4) as to count 4 that
27 the offense was committed for the benefit of, at the direction of, and in association with a criminal
28 street gang, to wit: A Norteno Criminal Street Gang, with the specific intent to promote, further and

1 assist in criminal conduct by gang members and cause the sentencing to be pursuant to section
2 186.22(b)(1) / 186.22(b)(4). Said act also caused the above offense to become a serious felony
3 pursuant to Penal Code section 1192.7(c)(28). NOTICE: Conviction of this offense will require you
4 to register pursuant to Penal Code section 186.30(a).

5
6 **ENHANCEMENT 2**

7 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
8 **ABETTOR**

9 It is further alleged as to Count 4, that a principal personally and intentionally discharged a firearm,
10 a handgun, which proximately caused great bodily injury and/or death to Jack Canchola and
11 Salvador Andres Garcia within the meaning of Penal Code Section 12022.53(d) and (e)(1), also
12 causing the above offense to be a violent felony within the meaning of Penal Code section
13 667.5(c)(8).

14
15 **Count 5 PC187(a): WILLFUL, DELIBERATE, AND PREMEDITATED MURDER -**
16 **FELONY as to Pedro Nava and Jonathan Leal Cervantes**

17 On or about March 3, 2024, in the County of Monterey, the crime of WILLFUL,
18 DELIBERATE, AND PREMEDITATED MURDER in violation of PC187(a), a FELONY, was
19 committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA
20 AND JONATHAN LEAL CERVANTES did unlawfully and with malice aforethought murder
21 Fransico Javier Aldape Perez, a Human Being. It is further alleged that the aforesaid murder was
22 committed willfully, deliberately and with premeditation within the meaning of Penal Code section
23 189 and is a violent felony pursuant to Penal Code section
24 667.5(a)(c)(1).

25 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
26 1192.7(c).

27 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

1 **ENHANCEMENT 1**

2 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
3 **SENTENCE**

4 It is further alleged that the offense(s) charged in Count(s) 5, that the above offense was committed
5 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
6 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
7 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
8 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

9
10 **ENHANCEMENT 2**

11 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
12 **ABETTOR**

13 It is further alleged as to Count 5, that a principal personally and intentionally discharged a firearm,
14 a handgun, which proximately caused great bodily injury and/or death to Fransico Javier Aldape
15 Perez within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above
16 offense to be a violent felony within the meaning of Penal Code section 667.5(c)(8).

17
18 **Count 6 PC187(a): WILLFUL, DELIBERATE, AND PREMEDITATED MURDER -**
19 **FELONY as to Pedro Nava and Jonathan Leal Cervantes**

20 On or about March 3, 2024, in the County of Monterey, the crime of WILLFUL,
21 DELIBERATE, AND PREMEDITATED MURDER in violation of PC187(a), a FELONY, was
22 committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA
23 AND JONATHAN LEAL CERVANTES did unlawfully and with malice aforethought murder
24 Olivo Perez Pina, a Human Being. It is further alleged that the aforesaid murder was committed
25 willfully, deliberately and with premeditation within the meaning of Penal Code section 189 and is
26 a violent felony pursuant to Penal Code section 667.5(a)(c)(1).

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c).

3 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

4
5 **ENHANCEMENT 1**

6 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
7 **SENTENCE**

8 It is further alleged that the offense(s) charged in Count(s) 6, that the above offense was committed
9 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
10 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
11 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
12 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

13
14 **ENHANCEMENT 2**

15 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
16 **ABETTOR**

17 It is further alleged as to Count 6, that a principal personally and intentionally discharged a firearm,
18 a handgun, which proximately caused great bodily injury and/or death to Olivo Perez Pina within
19 the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to be a
20 violent felony within the meaning of Penal Code section 667.5(c)(8).

21
22 **Count 7 PC187(a): WILLFUL, DELIBERATE, AND PREMEDITATED MURDER -**
23 **FELONY as to Pedro Nava and Jonathan Leal Cervantes**

24 On or about March 3, 2024, in the County of Monterey, the crime of WILLFUL,
25 DELIBERATE, AND PREMEDITATED MURDER in violation of PC187(a), a FELONY, was
26 committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA
27 AND JONATHAN LEAL CERVANTES did unlawfully and with malice aforethought murder
28 Mario Guzman Mendoza, a Human Being. It is further alleged that the aforesaid murder was

1 committed willfully, deliberately and with premeditation within the meaning of Penal Code section
2 189 and is a violent felony pursuant to Penal Code section
3 667.5(a)(c)(1).

4 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
5 1192.7(c).

6 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

7
8 **ENHANCEMENT 1**

9 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
10 **SENTENCE**

11 It is further alleged that the offense(s) charged in Count(s) 7, that the above offense was committed
12 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
13 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
14 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
15 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

16
17 **ENHANCEMENT 2**

18 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
19 **ABETTOR**

20 It is further alleged as to Count 7, that a principal personally and intentionally discharged a firearm,
21 a handgun, which proximately caused great bodily injury and/or death to Mario Guzman Mendoza
22 within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to
23 be a violent felony within the meaning of Penal Code section 667.5(c)(8).

24
25 **Count 8 PC187(a): WILLFUL, DELIBERATE, AND PREMEDITATED MURDER -**
26 **FELONY as to Pedro Nava and Jonathan Leal Cervantes**

27 On or about March 3, 2024, in the County of Monterey, the crime of WILLFUL,
28 DELIBERATE, AND PREMEDITATED MURDER in violation of PC187(a), a FELONY, was

1 committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA
2 AND JONATHAN LEAL CERVANTES did unlawfully and with malice aforethought murder
3 Alicia Ramirez Aparicio, a Human Being. It is further alleged that the aforesaid murder was
4 committed willfully, deliberately and with premeditation within the meaning of Penal Code section
5 189 and is a violent felony pursuant to Penal Code section
6 667.5(a)(c)(1).

7 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
8 1192.7(c).

9 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

10
11 **ENHANCEMENT 1**

12 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
13 **SENTENCE**

14 It is further alleged that the offense(s) charged in Count(s) 8, that the above offense was committed
15 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
16 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
17 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
18 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

19
20 **ENHANCEMENT 2**

21 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
22 **ABETTOR**

23 It is further alleged as to Count 8, that a principal personally and intentionally discharged a firearm,
24 a handgun, which proximately caused great bodily injury and/or death to Alicia Ramirez Aparicio
25 within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to
26 be a violent felony within the meaning of Penal Code section 667.5(c)(8).

1 **ENHANCEMENT 3 (Counts 5, 6, 7 & 8)**

2 **PC190.2(a)(3): SPECIAL ALLEGATION - MULTIPLE MURDER**

3 It is further alleged that the offenses charges in Counts 5, 6, 7 & 8 represent the special
4 circumstance of Multiple Murder within the meaning of Penal Code Section 190.2(a)(3).

5
6 **ENHANCEMENT 4 (Counts 5, 6, 7 & 8)**

7 **PC190.2(a)(15): Spec Alleg-Murder By Lying In Wait**

8 It is further alleged as to Counts 5, 6, 7 & 8 that the murders of Francisco Aldape Perez, Olivo Perez
9 Pina, Mario Guzman Mendoza, and Alicia Ramirez Aparicio were carried out and carried out by
10 defendants, JONATHAN LEAL CERVANTES AND PEDRO NAVA and that the defendants
11 intentionally killed the victim by means of lying in wait, within the meaning of Penal Code Section
12 190.2(a)(15).

13
14 **ENHANCEMENT 5 (Counts 5, 6, 7 & 8)**

15 **PC190.2(a)(22): SPECIAL ALLEGATION - STREET GANG MURDER**

16 It is further alleged, pursuant to Penal Code Section 190.2(a)(22), that the defendants, JONATHAN
17 LEAL CERVANTES AND PEDRO NAVA intentionally killed Alicia Ramirez Aparicio while the
18 defendants was an active participant in a criminal street gang and the murder was carried out to
19 further the activities of the criminal street gang.

20
21 **Count 9 PC182(a)(1): CONSPIRACY TO COMMIT A CRIME - FELONY as to Pedro Nava**
22 **and Jonathan Leal Cervantes**

23 On or about March 3, 2024, in the County of Monterey, the crime of CONSPIRACY TO
24 COMMIT A CRIME in violation of PC182(a)(1), a FELONY, was committed by PEDRO NAVA
25 AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN LEAL
26 CERVANTES did unlawfully conspire together and with another person and persons whose identity
27 is unknown to commit a felony, to wit: Murder in the First Degree (PC187)

Further, that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, PEDRO NAVA AND JONATHAN LEAL CERVANTES or a co-conspirator, committed the following overt act and acts at and in the County of Monterey:

1. 3/3/24 Jonathan Cervantes and Angel E. entered a stolen vehicle
2. 3/3/24 Jonathan Cervantes and Angel E. armed themselves with loaded firearms
3. 3/3/24 Pedro Nava communicated with Angel E. about a perceived rival gang member
4. 3/3/24 Jonathan Cervantes and Angel E. drove to the location of the above mentioned perceived rival gang member while armed

ENHANCEMENT 1

PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE SENTENCE

It is further alleged that the offense(s) charged in Count(s) 9, that the above offense was committed by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to promote, further, or assist in any criminal conduct by said gang members, within the meaning of Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

Count 10 PC 664/PC187(a): ATTEMPTED WILLFUL, DELIBERATE, AND PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes

On or about March 3, 2024, in the County of Monterey, the crime of ATTEMPTED WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC 664/PC187(a), a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN LEAL CERVANTES did attempt to unlawfully and with malice aforethought murder KCPD Victim 5 (CR), 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 violent felony pursuant to Penal Code section 667.5(a)(c)(1).

1 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
2 1192.7(c).

3 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

4
5 **ENHANCEMENT 1**

6 **PC12022.7(b): SPECIAL ALLEGATION – GREAT BODILY INJURY CAUSING**
7 **PARALYSIS**

8 It is further alleged pursuant to Penal Code section 12022.7(b) as to count 10 that in the
9 commission of the above offense the said defendants, JONATHAN LEAL CERVANTES,
10 personally inflicted great bodily injury upon KCPD Victim 5, not an accomplice, and that said
11 injury caused KCPD Victim 5 to suffer paralysis.
12

13 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
14 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c).

15 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code
16 sections 1192.7(c)(8) and 667.5(c)(8).
17

18 **ENHANCEMENT 2**

19 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
20 **SENTENCE**

21 It is further alleged that the offense(s) charged in Count(s) 10, that the above offense was committed
22 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
23 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
24 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
25 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).
26
27
28

1 **ENHANCEMENT 3**

2 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
3 **ABETTOR**

4 It is further alleged as to Count 10, that a principal personally and intentionally discharged a
5 firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victim 5
6 within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to
7 be a violent felony within the meaning of Penal Code section 667.5(c)(8).

8
9 **Count 11 PC 664/PC187(a): ATTEMPTED WILLFUL, DELIBERATE, AND**
10 **PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes**

11 On or about March 3, 2024, in the County of Monterey, the crime of ATTEMPTED
12 WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC 664/PC187(a),
13 a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that
14 PEDRO NAVA AND JONATHAN LEAL CERVANTES did attempt to unlawfully and with
15 malice aforethought murder KCPD Victim 6 (YO), a Human Being. It is further alleged that the
16 aforesaid murder was committed willfully, deliberately and with premeditation within the meaning
17 of Penal Code section 189 and is a violent felony pursuant to Penal Code section
18 667.5(a)(c)(1).

19 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
20 1192.7(c).

21 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

22
23 **ENHANCEMENT 1**

24 **PC12022.7(a): SPECIAL ALLEGATION – GREAT BODILY INJURY**

25 It is further alleged as to count 11 that in the commission of the above offense the said defendants,
26 JONATHAN LEAL CERVANTES, personally inflicted great bodily injury upon KCPD Victim 6,
27 not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and
28

1 also causing the above offense to become a serious felony within the meaning of Penal Code
2 Section 1192.7(c)(8).

3 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code
4 sections 1192.7(c)(8) and 667.5(c)(8).

5
6 **ENHANCEMENT 2**

7 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
8 **SENTENCE**

9 It is further alleged that the offense(s) charged in Count(s) 11, that the above offense was committed
10 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
11 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
12 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
13 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

14
15 **ENHANCEMENT 3**

16 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
17 **ABETTOR**

18 It is further alleged as to Count 11, that a principal personally and intentionally discharged a
19 firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victim 6
20 (YO) within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above
21 offense to be a violent felony within the meaning of Penal Code section 667.5(c)(8).

22
23 **Count 12 PC 664/PC187(a): ATTEMPTED WILLFUL, DELIBERATE, AND**
24 **PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes**

25 On or about March 3, 2024, in the County of Monterey, the crime of ATTEMPTED
26 WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC 664/PC187(a),
27 a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that
28 PEDRO NAVA AND JONATHAN LEAL CERVANTES did attempt to unlawfully and with

malice aforethought murder KCPD Victim 7 (SP), 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 violent felony pursuant to Penal Code section 667.5(a)(c)(1).

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

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

ENHANCEMENT 1

PC12022.7(a): SPECIAL ALLEGATION – GREAT BODILY INJURY

It is further alleged as to count 12 that in the commission of the above offense the said defendants, JONATHAN LEAL CERVANTES, personally inflicted great bodily injury upon KCPD Victim 7, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8).

ENHANCEMENT 2

PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER & ABETTOR

It is further alleged as to Count 12, that a principal personally and intentionally discharged a firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victim 7 (SP) within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to be a violent felony within the meaning of Penal Code section 667.5(c)(8).

1 **ENHANCEMENT 3**

2 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
3 **SENTENCE**

4 It is further alleged that the offense(s) charged in Count(s) 12, that the above offense was committed
5 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
6 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
7 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
8 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

9
10 **Count 13 PC 664/PC187(a): ATTEMPTED WILLFUL, DELIBERATE, AND**
11 **PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes**

12 On or about March 3, 2024, in the County of Monterey, the crime of ATTEMPTED
13 WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC 664/PC187(a),
14 a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that
15 PEDRO NAVA AND JONATHAN LEAL CERVANTES did attempt to unlawfully and with
16 malice aforethought murder KCPD Victim 8 (RM), a Human Being. It is further alleged that the
17 aforesaid murder was committed willfully, deliberately and with premeditation within the meaning
18 of Penal Code section 189 and is a violent felony pursuant to Penal Code section
19 667.5(a)(c)(1).

20 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
21 1192.7(c).

22 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

23
24 **ENHANCEMENT 1**

25 **PC12022.7(a): SPECIAL ALLEGATION – GREAT BODILY INJURY**

26 It is further alleged as to count 13 that in the commission of the above offense the said defendants,
27 JONATHAN LEAL CERVANTES, personally inflicted great bodily injury upon KCPD Victim 8,
28 not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and

1 also causing the above offense to become a serious felony within the meaning of Penal Code
2 Section 1192.7(c)(8).

3 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code
4 sections 1192.7(c)(8) and 667.5(c)(8).
5

6
7 **ENHANCEMENT 2**

8 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
9 **ABETTOR**

10 It is further alleged as to Count 13, that a principal personally and intentionally discharged a
11 firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victim 8
12 within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above offense to
13 be a violent felony within the meaning of Penal Code section 667.5(c)(8).
14

15 **ENHANCEMENT 3**

16 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
17 **SENTENCE**

18 It is further alleged that the offense(s) charged in Count(s) 13, that the above offense was committed
19 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
20 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
21 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
22 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).
23

24 **Count 14 PC 664/PC187(a): ATTEMPTED WILLFUL, DELIBERATE, AND**
25 **PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes**

26 On or about March 3, 2024, in the County of Monterey, the crime of ATTEMPTED
27 WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC 664/PC187(a),
28 a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that

1 PEDRO NAVA AND JONATHAN LEAL CERVANTES did attempt to unlawfully and with
2 malice aforethought murder KCPD Victim 9 (CR), a Human Being. It is further alleged that the
3 aforesaid murder was committed willfully, deliberately and with premeditation within the meaning
4 of Penal Code section 189 and is a violent felony pursuant to Penal Code section
5 667.5(a)(c)(1).

6 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
7 1192.7(c).

8 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

9
10 **ENHANCEMENT 1**

11 **PC12022.7(a): SPECIAL ALLEGATION - STREET TERRORISM - LIFE SENTENCE**

12 It is further alleged as to count 14 that in the commission of the above offense the said defendants,
13 JONATHAN LEAL CERVANTES, personally inflicted great bodily injury upon KCPD Victim 9,
14 not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and
15 also causing the above offense to become a serious felony within the meaning of Penal Code
16 Section 1192.7(c)(8).
17

18 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code
19 sections 1192.7(c)(8) and 667.5(c)(8).
20

21 **ENHANCEMENT 2**

22 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
23 **ABETTOR**

24 It is further alleged as to Count 14, that a principal personally and intentionally discharged a
25 firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victim 9
26 (CR) within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above
27 offense to be a violent felony within the meaning of Penal Code section 667.5(c)(8).
28

1 **ENHANCEMENT 3**

2 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
3 **SENTENCE**

4 It is further alleged that the offense(s) charged in Count(s) 14, that the above offense was committed
5 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
6 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
7 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
8 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

9
10 **Count 15 PC 664/PC187(a): ATTEMPTED WILLFUL, DELIBERATE, AND**
11 **PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes**

12 On or about March 3, 2024, in the County of Monterey, the crime of ATTEMPTED
13 WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC 664/PC187(a),
14 a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that
15 PEDRO NAVA AND JONATHAN LEAL CERVANTES did attempt to unlawfully and with
16 malice aforethought murder KCPD Victim 10 (AR), a Human Being. It is further alleged that the
17 aforesaid murder was committed willfully, deliberately and with premeditation within the meaning
18 of Penal Code section 189 and is a violent felony pursuant to Penal Code section
19 667.5(a)(c)(1).

20 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
21 1192.7(c).

22 NOTICE: The above offense is a violent felony within the meaning of Penal Code 667.5(c).

23
24 **ENHANCEMENT 1**

25 **PC12022.7(a): SPECIAL ALLEGATION – GREAT BODILY INJURY**

26 It is further alleged as to count 15 that in the commission of the above offense the said defendants,
27 JONATHAN LEAL CERVANTES, personally inflicted great bodily injury upon KCPD Victim 10,
28 not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and

1 also causing the above offense to become a serious felony within the meaning of Penal Code
2 Section 1192.7(c)(8).

3 NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code
4 sections 1192.7(c)(8) and 667.5(c)(8).
5

6
7 **ENHANCEMENT 2**

8 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
9 **ABETTOR**

10 It is further alleged as to Count 15, that a principal personally and intentionally discharged a
11 firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victim 10
12 (AR) within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above
13 offense to be a violent felony within the meaning of Penal Code section 667.5(c)(8).
14

15 **ENHANCEMENT 3**

16 **PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE**
17 **SENTENCE**

18 It is further alleged that the offense(s) charged in Count(s) 15, that the above offense was committed
19 by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at
20 the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to
21 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
22 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).
23

24 **Count 16 PC 664/PC187(a): ATTEMPTED WILLFUL, DELIBERATE, AND**
25 **PREMEDITATED MURDER - FELONY as to Pedro Nava and Jonathan Leal Cervantes**

26 On or about March 3, 2024, in the County of Monterey, the crime of ATTEMPTED
27 WILLFUL, DELIBERATE, AND PREMEDITATED MURDER in violation of PC 664/PC187(a),
28 a FELONY, was committed by PEDRO NAVA AND JONATHAN LEAL CERVANTES, in that

PEDRO NAVA AND JONATHAN LEAL CERVANTES did attempt to unlawfully and with malice aforethought murder KCPD Victim 11 (AP), 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 violent felony pursuant to Penal Code section 667.5(a)(c)(1).

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

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

ENHANCEMENT 1

PC12022.7(a): SPECIAL ALLEGATION – GREAT BODILY INJURY

It is further alleged as to count 16 that in the commission of the above offense the said defendants, JONATHAN LEAL CERVANTES, personally inflicted great bodily injury upon KCPD Victim 11, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

NOTICE: This offense is a serious felony and a violent felony within the meaning of Penal Code sections 1192.7(c)(8) and 667.5(c)(8).

ENHANCEMENT 2

PC186.22(b)(1)/186.22(b)(5): SPECIAL ALLEGATION - STREET TERRORISM - LIFE SENTENCE

It is further alleged that the offense(s) charged in Count(s) 16, that the above offense was committed by the defendant(s) JONATHAN LEAL CERVANTES AND PEDRO NAVA, for the benefit of, at the direction of, or in association with A Norteno Criminal Street Gang,, with the specific intent to

1 promote, further, or assist in any criminal conduct by said gang members, within the meaning of
2 Penal Code Sections 186.22(b)(1) and 186.22(b)(5).

3
4 **ENHANCEMENT 3**

5 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
6 **ABETTOR**

7 It is further alleged as to Count 16, that a principal personally and intentionally discharged a
8 firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victim 11
9 (AP) within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above
10 offense to be a violent felony within the meaning of Penal Code section 667.5(c)(8).

11
12 **Count 17 PC246: SHOOTING AT AN INHABITED DWELLING - FELONY as to Pedro**
13 **Nava and Jonathan Leal Cervantes**

14 On or about March 3, 2024, in the County of Monterey, the crime of SHOOTING AT AN
15 INHABITED DWELLING in violation of PC246, a FELONY, was committed by PEDRO NAVA
16 AND JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN LEAL
17 CERVANTES did willfully, unlawfully, and maliciously discharge a firearm at an inhabited
18 dwelling house, occupied building, inhabited housecar and inhabited camper located at 215 N
19 Second Street, King City CA.

20 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
21 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c).

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

24 NOTICE: The above offense is a serious felony within the meaning of Penal Code Section
25 1192.7(c).

1 **ENHANCEMENT 1**

2 **PC186.22(b)(1) / 186.22(b)(4): SPECIAL ALLEGATION - STREET TERRORISM**

3 It is further alleged pursuant to Penal Code section 186.22(b)(1) / 186.22(b)(4) as to count 17 that
4 the offense was committed for the benefit of, at the direction of, and in association with a criminal
5 street gang, to wit: A Norteno Criminal Street Gang, with the specific intent to promote, further and
6 assist in criminal conduct by gang members and cause the sentencing to be pursuant to section
7 186.22(b)(1) / 186.22(b)(4). Said act also caused the above offense to become a serious felony
8 pursuant to Penal Code section 1192.7(c)(28). NOTICE: Conviction of this offense will require you
9 to register pursuant to Penal Code section 186.30(a).

10
11 **ENHANCEMENT 2**

12 **PC12022.53(d)/(e)(1): SPECIAL ALLEGATION - USE OF FIREARM - AIDER &**
13 **ABETTOR**

14 It is further alleged as to Count 17, that a principal personally and intentionally discharged a
15 firearm, a handgun, which proximately caused great bodily injury and/or death to KCPD Victims 1-
16 11 within the meaning of Penal Code Section 12022.53(d) and (e)(1), also causing the above
17 offense to be a violent felony within the meaning of Penal Code section 667.5(c)(8).

18
19 **Count 18 PC186.22(a): STREET TERRORISM - FELONY as to Pedro Nava and Jonathan**
20 **Leal Cervantes**

21 On or about February 4, 2024, in the County of Monterey, the crime of STREET
22 TERRORISM in violation of PC186.22(a), a FELONY, was committed by PEDRO NAVA AND
23 JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN LEAL
24 CERVANTES did unlawfully and actively participate in a criminal street gang with knowledge that
25 its members engage in and have engaged in a pattern of criminal gang activity and did promote,
26 further and assist in felony criminal conduct by gang members, to wit: A Norteno Criminal Street
27 Gang,. NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
28 section 186.30(a).

1 **Count 19 PC186.22(a): STREET TERRORISM - FELONY as to Pedro Nava and Jonathan**
2 **Leal Cervantes**

3 On or about March 3, 2024, in the County of Monterey, the crime of STREET
4 TERRORISM in violation of PC186.22(a), a FELONY, was committed by PEDRO NAVA AND
5 JONATHAN LEAL CERVANTES, in that PEDRO NAVA AND JONATHAN LEAL
6 CERVANTES did unlawfully and actively participate in a criminal street gang with knowledge that
7 its members engage in and have engaged in a pattern of criminal gang activity and did promote,
8 further and assist in felony criminal conduct by gang members, to wit: A Norteno Criminal Street
9 Gang,. NOTICE: Conviction of this offense will require you to register pursuant to Penal Code
10 section 186.30(a).

11
12 On this May 9, 2024, in the County of Monterey, I certify and declare under penalty of
13 perjury that the foregoing is true and correct.

14
15 JEANNINE M. PACIONI
16 District Attorney

17 

18 Kellin C. Dunne
19 Deputy District Attorney

20 Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that
21 defendant(s) and his or her attorney provide to the People the discovery required by Penal Code
22 Section 1054.3. This is a continuing request pursuant to the provisions of Penal Code Section
23 1054.7.

24
25 NOTICE TO ATTORNEY

26 The materials accompanying this notice may include information about witnesses which is
27 disclosed to you pursuant to Penal Code Section 1054.2, which reads as follows:
28

1 “No attorney may disclose or permit to be disclosed to a defendant, members of the defendant’s
2 family or anyone else, the personal identifying information of a victim or witness whose name is
3 disclosed to the attorney pursuant to subdivision (a) Section 1054.1, other than the name of the
4 victim or witness, unless specifically permitted to do so by the Court after a hearing and showing of
5 good cause.”

6 The Monterey County District Attorney’s Office has an open file policy in this case. An
7 open file policy does not waive any work product or statutory privileges. Audio and video material
8 will be disclosed pursuant to the Monterey Superior Court Standing Protective Order 17-11.

9 For a list of law enforcement agencies that have agreed to participate in the DA Brady Protocol,
10 please view the Monterey County DA Website at:

11 [http://www.co.monterey.ca.us/government/departments-a-h/district-attorney/brady-](http://www.co.monterey.ca.us/government/departments-a-h/district-attorney/brady-policy/policy/law-enforcement-signatories)
12 [policy/policy/law-enforcement-signatories](http://www.co.monterey.ca.us/government/departments-a-h/district-attorney/brady-policy/policy/law-enforcement-signatories)