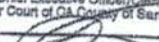


SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA
SAN JOSE FACILITY

FILED

MAY 24 2011

DAVID H. YAMASAKI

Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY  DEPUTY

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,


MISDEMEANOR COMPLAINT


vs.

DA NO: 110511901

CEN

11022065 AK SCIT 6/21/2011

ASAU KARLA 
aka ASHU KALRA,

 SAN JOSE, CA 95136

BLOOD .120

Defendant(s)

C1107955

The undersigned is informed and believes that:

COUNT 1

On or about May 7, 2011, in the County of Santa Clara, State of California, the crime of DRIVING UNDER THE INFLUENCE OF ALCOHOL, in violation of VEHICLE CODE SECTION 23152(a), a Misdemeanor, was committed by ASAU KARLA who did drive a vehicle while under the influence of alcohol.

Pursuant to Vehicle Code section 23593:

"You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder."

COUNT 2

On or about May 7, 2011, in the County of Santa Clara, State of California, the crime of DRIVING WITH A BLOOD ALCOHOL LEVEL OF 0.08 OR MORE, in violation of VEHICLE CODE SECTION 23152(b), a Misdemeanor, was committed by ASAU KARLA who did drive a vehicle while having 0.08 percent and more, by weight, of alcohol in his or her blood.

Pursuant to Vehicle Code section 23593:

"You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while

under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder."

DISCOVERY REQUEST

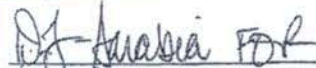
Pursuant to Penal Code sections 1054 through 1054.7, the People request that, within 15 days, the defendant and/or his/her attorney disclose: (A) The names and addresses of persons, other than the defendant, he/she intends to call as witnesses at trial, together with any relevant written or recorded statements of those persons, or reports of the statements of those persons, including any reports or statements of experts made in connection with the case, and including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial; (B) Any real evidence which the defendant intends to offer in evidence at the trial. This request is a continuing request, to cover not only all such material currently in existence, but all material which comes into existence to the conclusion of this case.

Further, attached and incorporated by reference are official reports and documents of a law enforcement agency which the complainant believes establish probable cause for the pretrial restraint of defendant ASAU KARLA, for the above-listed crimes.

Complainant therefore requests that the defendant(s) be dealt with according to law.

I certify under penalty of perjury that the above is true and correct.

Executed on May 23, 2011, in SANTA CLARA County, California.



Yee 12740
(Cardenas 18941)
CHP (408) 467-5400 61601NJ ***
LAWSON/ D264/ MISDEMEANOR/ dc

DEPARTMENT OF CORRECTION
COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

NOTICE TO APPEAR PURSUANT TO 853.6 P.C.

CEN 11022065 PFN EAY986 Arrest Agency 00340 Agency Case No. 61601NJ

Date 05/07/2011 Time 0139 ☒ Booking Completed Prior to 853.6 P.C.

Name (Last) KALRA (First) ASHU (Middle)

Address [REDACTED] City SAN JOSE Zip Code CA 95136

Business Address NONE NOTED Descriptors NONE NOTED

Driver License No. [REDACTED] Month / Day / Year [REDACTED]

Sex M Hair BK Eyes BP Height 509 Weight 180 Race N

CODE	SECTION	DESCRIPTION	WARRANT NO.	ON VIEW	M/I
VC	23152(A)	DRIVING UNDER THE INFLUENCE		<input type="checkbox"/>	H
VC	23152(B)	DRIVING W/A 0.08 OR HIGHER BLOOD ALCOHOL		<input type="checkbox"/>	H
FILED MAY 12 2011 DAVID H. YAMAGUCHI Chief Executive Officer/Clerk Superior Court of CA County of Santa Clara					

Arrest Location MARKET / SAN FERNANDO BY *Clayton Sater* City CAMPBELL

Arresting Officer Name Printed CARDENAS Badge/CJIC No.

Issuing Officer Name Printed HERNANDEZ CJIC No. H5459 Facility INTAKE

Without Admitting Guilt, I Promise to Appear at the Time and Place Checked Below.

X SIGNATURE *[Signature]* DATE WARRANT PLACED: DATE CITATION ISSUED: 05/07/2011

Before a Judge or Clerk of the Municipal Court
Date 06 / 21 / 11 Time 9:00 AM
Name SANTA CLARA COUNTY SUPERIOR COURT - SAN JOSE
Other Court Address 190 W. HEDDING STREET, SAN JOSE, CA 95110
☐ SOUTH Co. ☐ PA
☐ LG ☐ SU
☐ SJ ☐ TR.CT.SJ.
☐ SC ☒ OTHER CO.

SEE REVERSE SIDE FOR INSTRUCTIONS

DISTRIBUTION:
White - COURT COPY Canary - DEFENDANT COPY Pink - BOOKING JACKET
Form 85077 2/08 408 00

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
DRIVING UNDER THE INFLUENCE
ARREST-INVESTIGATION REPORT

CHP 202 (Rev. 11-10) DPI 051

DATE/TIME OF ARREST REPORT
05/07/2011 0139

DATE/TIME OF INCIDENT
05/07/2011 0130

☒ Misdemeanor ☐ Domestic Violence (Refer to 100.89)
☐ Felony

PAGE 1 OF 5

COURT San Jose Superior
FILE NUMBER
AREA BEAT COLLISION REPORT NUMBER
340 901

EVIDENCE/PROPERTY
YES NO ☒ MVARs
05062011GJ-4

CITATION NUMBER
61601N3

OFFENSE(S) CHARGED OR INVESTIGATED
23152(a)VC and 23152(b)VC

LOCATION OF ARREST/INCIDENT
SB Market St. south of San Fernando

JUS 8716 REQUIRED
NUMBER YES NO ☒

SUBJECT NO 1 OF 1

NAME (last, first, middle)
Kalra, Ashu

RESIDENCE ADDRESS
San Jose CA 95136 US

AKA

HOME PHONE

MAILING ADDRESS

☒ SAME

RACE/ETHNICITY
Other

SEX
M

BIRTHDATE

HAIR
BLK

EYES
BRN

HEIGHT
5-09

WEIGHT
160

PLACE OF BIRTH (city, state, country)
AB

DISPATCH
NOTIFIED

YES NO ☒

DRIVER LICENSE NUMBER

STATE
CA

DOL STATUS
Valid

MISC (SSN, INS #, ETC.)

TIME 0310

ID 14113

EMPLOYER
Refused

BUSINESS PHONE

BUSINESS ADDRESS
US

Refused

LOG 124

BOOKING, CR, FBI, ETC. NUMBER(S)
11022065

WHERE BOOKED/CONFINED
Santa Clara County Main Jail

DATE/TIME
05/07/2011 0300

FINGERPRINTED
YES NO ☒

NOTIFICATION (Who, How, When) EXPLAIN IN NARRATIVE

NOTIFIED BY:

☐ JUVENILE ☐ FOREIGN NATIONAL ☐ IMMUNITY CLAIM

VEHICLE

LICENSE

STATE
CA

YEAR
2011

VINEN NUMBER

VEHICLE WAS
☒ STORED ☐ PARKED ☐ RELEASED ☐ IMPOUNDED

STORAGE AUTHORITY
22651(h) VC

VEH YEAR
2006

MAKE
TOYO

BODY STYLE
PRIUS

COLOR
GLD

BODY TYPE
4 Door

LOCATION OF VEHICLE/RELEASED TO/ADDRESS/TELEPHONE NUMBER
Campbell's Tow - (408)295-7490

NAME OF REGISTERED OWNER

☒ SAME AS SUBJECT

ADDRESS

☒ SAME AS SUBJECT

NAME OF LEGAL OWNER

☒ SAME AS R/O

ADDRESS

LOCATION OF KEYS
With tow.

WITNESS/PASSENGER/VICTIM

BIRTHDATE

SEX

NAME

☐ WITNESS ☒ PASSENGER ☐ VICTIM

ADDRESS

PHONE

☒ PASSENGER ☐ VICTIM

ADDRESS

PHONE

☐ WITNESS ☐ PASSENGER ☐ VICTIM

ADDRESS

PHONE

☐ WITNESS ☐ PASSENGER ☐ VICTIM

ADDRESS

PHONE

COURT
COPY

ADMONITION OF RIGHTS

1. YOU HAVE THE RIGHT TO REMAIN SILENT.

2. YOU HAVE THE RIGHT TO TALK WITH AN ATTORNEY AND TO HAVE AN ATTORNEY PRESENT BEFORE AND DURING QUESTIONING.

3. IF YOU CANNOT AFFORD AN ATTORNEY, ONE WILL BE APPOINTED FREE OF CHARGE TO REPRESENT YOU BEFORE AND DURING QUESTIONING, IF YOU DESIRE.

4. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.

THE ABOVE STATEMENT WAS READ TO THE ARRESTEE

BY: ☐ ARRESTING OFFICER ☐ DR:

Not read. Not questioned.

LU:

TIME:

DO YOU UNDERSTAND EACH OF THESE RIGHTS I HAVE EXPLAINED TO YOU?

☐ YES ☐ NO

HAVING THESE RIGHTS IN MIND, DO YOU WISH TO TALK TO US NOW?

☐ YES ☐ NO

WAVES STATEMENT

MISDEMEANOR INCARCERATION

(To be completed upon physical arrest for any misdemeanor, pursuant to Penal Code Section 853.8)

The person arrested:

1. ☒ was so intoxicated as to be a danger to himself or others.

2. ☐ required medical examination or medical care or was otherwise unable to care for his/her own safety.

3. ☒ was arrested under one or more of the circumstances listed in Sections 40302 and 40303 of the Vehicle Code (Note 5 and 8 if also applicable).

4. ☐ had one or more outstanding arrest warrants issued.

5. ☐ could not provide satisfactory evidence of personal identification.

6. ☒ if released immediately, would jeopardize the prosecution of the offense or offenses for which arrested or the prosecution of any other offenses.

7. ☒ would be reasonably likely to continue the offense or offenses, or the safety of person or property would be immediately endangered if immediately released.

8. ☐ demanded to be taken to a magistrate or released to sign the citation.

9. ☐ would not appear at the time and place specified in the notice.

10. ☐ domestic violence (refer to 100.89).

ARRESTING/INVESTIGATING OFFICER

(Print name/rank)

I.D. NUMBER
018941

REVIEWED BY (Print name/rank)

G. HAGEN / SGT.

I.D. NUMBER

DATE

12142 5/11/11

A. Cardenas / Officer

Kalra, Ashu

Kaira, Ashu

61601NJ

All asked prior to FST's.

INVESTIGATION INTERVIEW

DO YOU KNOW OF ANYTHING MECHANICALLY WRONG WITH YOUR VEHICLE? DESCRIBE		ARE YOU SICK OR INJURED? DESCRIBE	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Right front light sometimes doesn't work.		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
ARE YOU DIABETIC OR EPILEPTIC?	DO YOU TAKE INSULIN? (Pills/Injection)	DO YOU HAVE ANY PHYSICAL IMPAIRMENTS? DESCRIBE. (Feet, Legs, Ankles or Hips)	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
WHEN DID YOU LAST SLEEP?	HOW LONG?	WHEN DID YOU LAST EAT?	DESCRIBE
"Last night"	"6hrs"	"7(pm)"	"Chicken fingers and nachos"
WERE YOU DRIVING THE VEHICLE?	IF NO, WHO?	WHERE DID YOU START DRIVING?	WHERE WERE YOU GOING?
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A		"parking garage"	"Convention Center"
WHERE WERE YOU STOPPED?	WHAT HAVE YOU BEEN DRINKING?	HOW MUCH?	TIME STARTED
"On Market Street"	Red Stripe/Sierra Neva	"3"	Not asked
LOCATION WHERE YOU WERE DRINKING?	NAME/ADDRESS	DO YOU FEEL THE EFFECTS OF THE DRINKS? DESCRIBE	TIME STOPPED
"Firehouse and Temple"		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Not asked
DID YOU BUMP YOUR HEAD?	HAVE YOU BEEN DRINKING SINCE THE ACCIDENT?	IF YES, WHAT?	HOW MUCH?
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A		
ARE YOU UNDER THE CARE OF A DOCTOR OR DENTIST?	IF YES, NAME AND ADDRESS	RECENT SURGERY PERFORMED?	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
HAVE YOU TAKEN ANY MEDICINE OR DRUGS?	IF YES, WHAT?	HOW MUCH?	TIME OF LAST DOSAGE
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
DO YOU FEEL THE EFFECTS OF THE MEDICINE/DRUGS? DESCRIBE.			
<input type="checkbox"/> YES <input type="checkbox"/> NO			

N/A

OBJECTIVE SIGNS/APPEARANCE/FIELD SOBRIETY TEST LOCATION

BREATH ODOR OF ALCOHOLIC BEVERAGE PRESENT	GLASSES/LENSES	EYES (appearance)	DEMEANOR	SPEECH
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Strong	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Red/Watery	Cooperative	Normal

CLOTHING WORN: CONDITION AND DESCRIPTION

Dirty and worn: grey shirt, black pants, grey shoes.

DESCRIBE TEST LOCATION, SURFACE, WEATHER, AND LIGHTING

Concrete sidewalk, relatively flat, dry, cool, street lights, p/v lights, and flashlights.

PRELIMINARY ALCOHOL SCREEN INFORMATION

P.A.S. Admonition: I am requesting that you take a preliminary alcohol screening test to further assist me in determining whether you are under the influence of alcohol. You may refuse to take this test; however, this is not an implied consent test and if arrested, you will be required to give a sample of your blood, breath, or urine for the purpose of determining the actual alcoholic and drug content of your blood.

THE ABOVE STATEMENT WAS READ TO THE SUBJECT BY:

<input type="checkbox"/> N/A <input checked="" type="checkbox"/> ARRESTING OFFICER <input type="checkbox"/> OR	LD.	TIME 0135
PAS SERIAL NUMBER	TEMPERATURE	ZEROED
8517	17c	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Refused
LOCATION OF TEST	BREATH SAMPLE	RESULTS NO. 1
<input checked="" type="checkbox"/> At scene <input type="checkbox"/> Automatic <input type="checkbox"/> Manual	<input type="checkbox"/> OR	TIME 1
	OFFICER ADMINISTERING PAS TEST	RESULTS NO. 2
	<input checked="" type="checkbox"/> ARRESTING OFFICER	TIME 2
	LD. NUMBER	RESULTS NO. 3 (if needed)
	AREA	TIME 3

CHEMICAL TEST INFORMATION

<input checked="" type="checkbox"/> Implied Consent Admonishment, 23B12 V.C.	DRUG ADMONISHMENT	<input checked="" type="checkbox"/> N/A	ATTACHMENTS	<input type="checkbox"/> CHP 292 DRE <input type="checkbox"/> OTHER
<input type="checkbox"/> Refused Test(s) (Complete DS 367)	<input type="checkbox"/> Yes <input type="checkbox"/> Refused (Complete DS 367)			
TYPE OF TEST	TIME	LD. OF SAMPLE(S)	RESULTS IF AVAILABLE	DISPOSITION OF SAMPLE(S)
1 <input type="checkbox"/> Breath				
2 <input checked="" type="checkbox"/> Blood	0230	61601NJ	PENDING	A18 Evidence Locker
3 <input type="checkbox"/> Urine				
TEST GIVEN	LOCATION WHERE TEST WAS CONDUCTED	NAME AND TITLE OF PERSON GIVING TEST OR TAKING SAMPLE		
1		<input type="checkbox"/> ARRESTING OFFICER <input type="checkbox"/> OR		
2 A18		<input type="checkbox"/> ARRESTING OFFICER <input checked="" type="checkbox"/> OR Vi Dinh		
3		<input type="checkbox"/> ARRESTING OFFICER <input type="checkbox"/> OR		

TROMBETTA ADVISEMENT

- A. The breath testing equipment does NOT retain any breath sample for later analysis by you or anyone else.
- B. If you want a sample retained, you may provide a blood or urine sample that will be retained at no cost to you. If you do so, the blood or urine sample may be tested for alcoholic or drug content by either party in a criminal prosecution.
- C. Do you wish to provide an additional sample? ☐ YES ☐ NO ☒ N/A

STATE OF CALIFORNIA
NARRATIVE/SUPPLEMENTAL

PAGE 3 OF 5

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
05/07/2011	0120	340	018941

1 FIELD SOBRIETY TEST (FST'S):

2
3 Prior to the start of each test Kalra was asked if he understood the instructions and he stated that
4 he did. All times were taken from my watch. All tests were explained in English.

5
6 Horizontal Gaze Nystagmus (HGN): Kalra's eyes lacked smooth pursuit, had onset of nystagmus
7 prior to 45 degrees and displayed nystagmus at maximum deviation. Kalra swayed in a circular
8 motion while performing this test.

9
10 Romberg: Kalra began the test and swayed in a circular motion approximately 1 to 2 inches from
11 center mass and displayed eyelid tremors throughout the entire test. He estimated 30 second in
12 23 real seconds.

13
14 Finger Count: Kalra completed 3 sets as explained and demonstrated.

15
16 One Leg Stand (right leg raised): During the explanation phase of this test, Kalra began the test
17 by raising his right leg approximately 2 inches from the ground. Kalra put his foot down several
18 times throughout the test and had to step backwards and to the left to keep his balance. Kalra
19 raised his arms approximately 3-6 inches throughout this test to keep his balance.

20
21 Preliminary Alcohol Screening (PAS) Device: I advised Kalra of the PAS admonishment and he
22 gave two strong tests with results: 0.121% and 0.119%.

23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
A. CARDENAS / OFFICER	018941	05/07/2011		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
05/07/2011	0120	340	018941

1 FIRST OBSERVATIONS:

2
3 On 05/07/2011, at approximately 0120 hours, my partner, Officer Hubble (#19327), and I were on
4 routine patrol in full uniform and in a marked black and white patrol vehicle (p/v). We were
5 traveling southbound on Market Street, south of Santa Clara Street, when I noticed the s/v directly
6 ahead of the p/v with a right rear tail light out. I positioned the p/v behind the s/v and initiated a
7 traffic stop. The s/v pulled to the right curb on Market Street, south of San Fernando Street.

9 OBSERVATIONS AFTER STOP:

10
11 I made a driver's side approach where I contacted Kalra through an open driver side front window.
12 I advised the driver of the reason for the stop. I requested the driver provide me his driver license,
13 vehicle registration, and proof of insurance. While speaking to the driver, I smelled an immediate
14 odor of an alcoholic beverage emitting from within the s/v. I also observed that the driver had red
15 and watery eyes. I asked Kalra if he had anything to drink that night and he said "Two beers a
16 couple hours ago". I asked Kalra to exit the s/v and meet me on the sidewalk next to my patrol
17 vehicle on the right shoulder. I informed Kalra I would be conducting a DUI evaluation. I asked
18 him a series of pre FST questions, which he answered accordingly. While speaking to Kalra, I
19 again smelled a strong odor of an alcoholic beverage on his breath. I then explained and
20 demonstrated a series of Field Sobriety Tests (FST's), which Kalra was unable to perform as
21 explained and demonstrated.

23 ARREST:

24
25 Based upon my observations of Kalra driving a motor vehicle, his objective symptoms of
26 intoxication and his poor performance on the FST's, I determined that Kalra had been driving a
27 motor vehicle while under the influence of an alcoholic beverage and/or drugs a violation of
28 23152(a) CVC. At 0139 hours, I placed Kalra under arrest for 23152 (a) CVC - DUI. I adjusted
29 the handcuffs and double locked them to prevent tightening. Officer Hubble conducted a full
30 standing search incidental to arrest, and then placed Kalra in the right rear seat of my patrol
31 vehicle while we made arrangements for his vehicle and passengers. I advised Kalra of Implied
32 Consent, per 23612 CVC and he consented to a blood test. We then transported Kalra to the
33 Alcohol Investigation Bureau (AIB) where I observed blood technician, Vi Dinh, take two samples
34 of blood from Kalra's left arm. I then placed the results in the AIB evidence locker. Kalra was
35 then transported to the Santa Clara County Main Jail and booked for 23152 (a) and 23152 (b) at
36 0300 hours and booked without further incident.

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
A. CARDENAS / OFFICER	018941	05/07/2011		

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
05/07/2011	0120	340	018941

1 RECOMMENDATIONS:

2

3 I recommend that a copy of this report be forwarded to the Santa Clara County District Attorney
4 Office for the prosecution of the following charges against Kalra:

5

6 23152 (a) CVC - Driving Under the Influence of Alcohol and/or drugs

7 23152 (b) CVC - BAC .08% or higher (pending results)

8

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
A. CARDENAS / OFFICER	018941	05/07/2011		

Declaration of Person Qualified to Perform Venipuncture

I am qualified pursuant to the California Business and Professional Code section 1246, Title 17 of the California Code of Regulations, and / or the California Vehicle Code section 23158 to perform venipuncture and was so qualified when I worked as a (check all that apply):

☐ Clinical Laboratory Scientist
☐ Licensed Clinical Laboratory Technologist
☐ Registered Nurse
☐ Licensed Vocational Nurse
☒ Certified Phlebotomy Technician

On 5/7/2011 when I took blood from a person identified to me as:

ASHU KAIRA

I performed the blood draw using the following procedures:

I cleansed the area to be punctured with the non-alcoholic disinfectant and the Arresting Officer witnessed my use of the non-alcoholic disinfectant with the above-name defendant.

A sterilized needle, holder and needle protector was employed to withdrawn blood from the defendant's vein. I will withdraw enough blood to fill the vacuum vial furnished by the Santa Clara Crime Laboratory. Prior to using it, I examined the vacuum vial and observed that it contained a dry white powder.

I discarded the needle, holder and disinfectant and inverted the vial 8 to 10 times to prevent the blood from clotting.

I labeled the vials of blood with the full name of the defendant, the date and time of withdrawal and place my initials on the label.

I gave the vial to the Officer who accompanied the defendant, and I observed the Officer place the vials in the envelope furnished by the Santa Clara Crime Laboratory and seal it.

The sample(s) was/were taken and handle in a medically approved manner.

I Vi Dinh declares under penalty of perjury that under the laws of the State of California the foregoing is true and correct.

Dated: 5/7/2011 at AIB, California

Signature of Declarant: Nha Vi Dinh

Original: Attach to Admin Per Se Documents
& return to DMV-Driver Safety Office

Law Enforcement Case # 61601 NJ

Driver's license # _____ (optional)

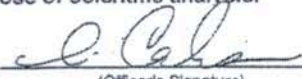


County of Santa Clara
Crime Laboratory
Office of the District Attorney
250 West Hedding Street
San Jose, California 95110
(408) 808-5900

Physiological Specimen Request
(Press hard and print clearly)

Subject's Name	ASHU KALRA KALRA		
Requested By	MARDENAS	Badge #	18941
Agency	CHP	Agency Case #	61601 NT
Technologist Taking Sample	Vi Dinh		
Charges	2352(a)(1) 2352(b)(1)	Location	A1B

You are requested to obtain a specimen of blood, urine or breath from the above named subject for the purpose of scientific analysis.


(Officer's Signature)

Type of Specimen	Date of Sample	Time of Sample
Blood <input checked="" type="checkbox"/>	5/7/2011	02:30
Urine <input type="checkbox"/>	Technologist's Case #	CML
Breath <input type="checkbox"/>		
Typing tube <input type="checkbox"/>		

Observations

Eyes _____ Speech 12
Odors _____ Attitude S1103780

Coordination and Balance _____

General Comments

(L) arm - 2 heparine - 2 gray's tubes
mixed - label - #10

8557 REV 10/05

Technologist's Signature: Nhat Vi Dinh

Distribution: White - Police Agency Yellow - Technologist Pink - Crime Lab



AGI 21 AND OLDER OFFICER'S STATEMENT
SECTIONS 13353, 13363.1, 13353.2 & 13389 CALIFORNIA VEHICLE CODE (CVC)

APS

FORWARD THIS FORM WITHIN 5 BUSINESS DAYS TO YOUR LOCAL DRIVER SAFETY OFFICE, LISTED ON THE BACK OF PAGE 2

COMPLETE IN BLACK INK

LAW ENFORCEMENT AGENCY CASE NO. <u>61461 NJ</u>	DETENTION/ARREST DATE <u>05/07/11</u>	FOR DMV USE ONLY	
DRIVER'S NAME (LAST, FIRST, M.I.) <u>KALRA, ASHIA</u>		DRIVER LICENSE NO. <u>[REDACTED]</u>	COMMERCIAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No STATE <u>CA</u>
MAILING ADDRESS <u>[REDACTED]</u>		CITY <u>SAN JOSE</u>	ZIP CODE <u>95136</u>
DOB: <u>[REDACTED]</u>		Sex: <u>M</u> Hair: <u>BLK</u> Eyes: <u>BRN</u> Ht.: <u>5'09</u> Wt.: <u>160</u>	
Driver License: <input type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered (Attached) <input type="checkbox"/> Not in Possession <input type="checkbox"/> Unlicensed		PAS or other Chemical Test Refusal - (DUI Probation) (Complete reverse)	
<input type="checkbox"/> 0.01% or more BAC DUI Probation		<input type="checkbox"/> Chemical Test Refusal (Complete reverse)	
<input type="checkbox"/> 0.04% or more BAC/COMM VEH		<input type="checkbox"/> Forced Blood Test (Complete reverse)	
<input checked="" type="checkbox"/> 0.08% or more BAC Chemical Tests Results			

Vehicle Lic. No. or VIN [REDACTED]

☐ COMMERCIAL VEHICLE: Vehicle operation requires a commercial driver license (Section 15210 CVC).

☐ HAZARDOUS MATERIALS: (transporting materials requiring placards/markings per Section 27903 CVC).

On 05/07/11 at 120 AM/PM in (City and County) SAN JOSE, SANTA CLARA, CA, the above named driver was:

☒ Driving: ☒ Observed by this officer or ☐ the observer shown in the shaded area on the second page, ☐ admitted to driving.

☐ Contacted per Section 40300.5 CVC. (Describe details in probable cause section on second page.)

☐ Involved in a collision. Attach collision report. In the probable cause section on the second page, describe how time of collision was established.

I had reasonable cause to believe the driver was driving a motor vehicle with alcohol and/or drugs present in the blood or while under the influence. The driver was lawfully arrested, or lawfully detained while on DUI probation, by this officer, or by the person shown in the shaded area on the second page on 05/07/11 (Month/Day/Year) at 137 AM/PM for violation of Section 23152 or 23153, 23154 CVC, or Section 191.5 of the Penal Code.

PROBABLE CAUSE. Describe in detail the facts and circumstances that led to the stop or contact. If driving was observed by someone other than the arresting officer, what did the observer say? State details on second page of this form hereby incorporated by reference.

OBJECTIVE SYMPTOMS OF INTOXICATION: ☒ Bloodshot/watery eyes ☒ Odor of alcoholic beverage ☐ Unsteady gait ☐ Slurred speech

☒ Other: PUPILS ENLARGED Observed by: CHARDENAS at 0138 AM/PM

PRELIMINARY ALCOHOL SCREENING TEST 0.01% OR MORE BLOOD ALCOHOL CONCENTRATION (BAC) DUI PROBATION

Driver submitted to and completed a Preliminary Alcohol Screening (PAS) test with the results of:

TEST 1 0.01 % BAC on 05-07-11 at 0138 AM/PM TEST 2 (Optional) 0.01 % BAC on 05-07-11 at 0138 AM/PM

OFFICER'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California that (1) I obtained the above PAS test results in the regular course of my duties, (2) I used PAS Model (Name/Number) [REDACTED], Serial# [REDACTED], Manufactured by [REDACTED], (3) I administered this PAS test properly in accordance with the manufacturer's guidelines and instructions, (4) I have received training on the proper operation of this device and administration of the PAS test and am competent and qualified to operate the device, and (5) the device was functioning properly at the time of the test. ☐ PAS Test Unavailable

Date 05-07-11 Signature X [REDACTED] BADGE/ID NO. 18941 Agcy/Div. [REDACTED]

CHEMICAL TEST

Breath Test Results (Attach copy of the results, if available)

TEST 1 0.01 % BAC on 05-07-11 at 0138 AM/PM TEST 2 0.01 % BAC on 05-07-11 at 0138 AM/PM TEST 3 0.01 % BAC on 05-07-11 at 0138 AM/PM

BREATH TEST MACHINE OPERATOR'S CERTIFICATION: I certify under penalty of perjury under the laws of the State of California, that the above breath test sample results were obtained in the regular course of my duties. I further certify that I am qualified to operate this equipment and that the test was administered pursuant to the requirements of Title 17 of the California Code of Regulations.

Date 05-07-11 Signature X [REDACTED] Badge/ID No. 18941 Agcy/Div. [REDACTED]

Blood Test Results ☒ Blood Test on 05-07-11 at 0138 AM/PM ☐ Breath Test Unavailable

Urine Test Results ☐ Both Breath and Blood tests unavailable. ☐ Drug use suspected.

☐ Urine Test First Void on 05-07-11 at 0138 AM/PM Test on 05-07-11 at 0138 AM/PM

I certify under penalty of perjury, under the laws of the State of California, that the information contained on all pages of this Officer's Statement is true and correct.

EXECUTED ON: Date 05/07/11 AT: City SAN JOSE County SANTA CLARA State CA

OFFICER'S PRINTED NAME <u>CHARDENAS</u>	BADGE/ID NO. <u>18941</u>	TELEPHONE NO. <u>(408) 467 5400</u>
AGENCY <u>CHP</u>	AREA <u>310</u>	COURT CODE (IF UNKNOWN, COURT NAME) <u>M-3470</u>

☒ I did ☐ did not personally serve a copy of the Order of Suspension/Revocation to the driver.

ISSUE DATE OF ORDER 05/07/11 SIGNATURE OF ARRESTING OFFICER [REDACTED]

IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:

ISSUE DATE	OFFICER'S PRINTED NAME	BADGE/ID NO.	SIGNATURE OF OFFICER
			<u>X</u>



OFFICER'S STATEMENT - PAGE 1
SECTIONS 13353, 13353.1, 13353.2 AND 13389 CVC

APS

COMPLETE IN BLACK INK

LAW ENFORCEMENT AGENCY CASE NO. 01061 NJ	DETENTION/ARREST DATE 05/07/11	FOR DMV USE ONLY	
DRIVER'S NAME (LAST, FIRST, MI) KALRA, ASHU	DRIVER LICENSE NO. [REDACTED]	COMMERCIAL? STATE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No CA	THUMB PRINT (Right thumb or specify)
MAILING ADDRESS [REDACTED]		STATE CA	ZIP CODE 95136
DOB: 01/21/72		Sex: M Hair: BLK Eyes: BRN Ht: 509 Wt: 160	
Driver License: <input type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered (Attached) <input type="checkbox"/> Not in Possession <input type="checkbox"/> Unlicensed			
<input type="checkbox"/> 0.01% or more BAC DUI Probation <input type="checkbox"/> PAS or other Chemical Test Refusal - (DUI Probation)			
<input type="checkbox"/> 0.04% or more BAC/COMM VEH <input type="checkbox"/> Chemical Test Refusal			
<input checked="" type="checkbox"/> 0.08% or more BAC Chemical Tests Results <input type="checkbox"/> Forced Blood Test			

Complete shaded area only if driving/collision observed by someone other than arresting officer or arrest done by another officer.

<input checked="" type="checkbox"/> Driving observed	<input type="checkbox"/> Driver arrested	<input type="checkbox"/> Collision witnessed	By: <input type="checkbox"/> Officer <input type="checkbox"/> Citizen
NAME (PLEASE PRINT)		NAME (PLEASE PRINT)	
ADDRESS		ADDRESS	
PHONE NO.		PHONE NO.	
OFFICER'S AGENCY		OFFICER'S AGENCY	

PROBABLE CAUSE (DESCRIBE IN DETAIL THE FACTS AND CIRCUMSTANCES THAT LED TO THE STOP OR CONTACT.)
THE NARRATIVE MUST BE AN ORIGINAL. PRINT OR WRITE DIRECTLY ON THIS PAGE. (A SYNOPSIS OF THE SUPPLEMENTAL REPORT MAY BE CUT AND PASTED BELOW AND MUST BE DATED AND CONTAIN AN ORIGINAL SIGNATURE.) (FOR DUI PROBATION VIOLATIONS) CLEARLY INDICATE BELOW HOW YOU DETERMINED THE DRIVER WAS ON DUI PROBATION.

WHILE ON ROUTINE PATROL IN A FULLY MARKED PIV, IN FULL CIVILIAN CLOTHING, I NOTICED THE SV TRAVELING AHEAD OF US WITH A TAILLIGHT OUT. I POSITIONED THE PIV BEHIND THE SV AND INITIATED A TRAFFIC STOP. I INSTRUCTED THE SV TO THE RIGHT SHOULDER OF S. MARQUET STREET S. OF SAN FERNANDO. I CONDUCTED THE DRIVER THROUGH THE OPEN DRIVER'S SIDE DOOR AND INFORMED HIM THE REASON FOR THE STOP. WHILE SPEAKING TO THE DRIVER I NOTICED THE OBSCURE SIGHT OF MUCUS, INTOXICATION, RED LIPSTICK, EYES AND A STRONG SMELL OF ALCOHOLIC BREATH. I INSTRUCTED THE DRIVER TO EXIT THE SV AND WALK TO THE SIDEWALK. I ASKED THE DRIVER A SERIES OF PRE-TEST QUESTIONS. WHILE SPEAKING TO HIM I CONTINUED TO SMELL A STRONG SMELL OF AN ALCOHOLIC BEVERAGE. I EXPLAINED AND DEMONSTRATED A SERIES OF FST'S WHICH THE DRIVER PERFORMED POORLY. I PLACED THE DRIVER UNDER ARREST PER DUI.

A. Celes 18941

05/07/11





AGE 21 AND OLDER - PAGE 3
ADMINISTRATIVE PER SE
SUSPENSION/REVOCATION ORDER
AND TEMPORARY DRIVER LICENSE

APS

DRIVER MUST BE GIVEN A COPY OF THIS
ORDER WHEN COMPLETED BY THE OFFICER
DMV Telephone Number (916) 657-0214

COMPLETE IN BLACK INK

LAW ENFORCEMENT AGENCY CASE NO. 01001 NJ	DETENTION/ARREST DATE 05/03/11	FOR DMV USE ONLY	
DRIVER'S NAME (LAST, FIRST, M.I.) KALP, JON	DRIVER LICENSE NO. [REDACTED]	COMMERCIAL? STATE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No CA	THUMB PRINT (Right thumb or specify)
MAILING ADDRESS [REDACTED]		STATE CA	ZIP CODE 92603
DOB [REDACTED]	Sex M	Hair BLK	Eyes BLU
Driver License: <input type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered (Attached) <input type="checkbox"/> Not in Possession <input type="checkbox"/> Unlicensed			
<input type="checkbox"/> 0.01% or more BAC DUI Probation <input type="checkbox"/> PAS or other Chemical Test Refusal - (DUI Probation)			
<input type="checkbox"/> 0.04% or more BAC/COMM VEH <input type="checkbox"/> Chemical Test Refusal			
<input checked="" type="checkbox"/> 0.08% or more BAC Chemical Tests Results <input type="checkbox"/> Forced Blood Test			

You are hereby notified that your privilege to operate a motor vehicle will be suspended or revoked effective 30 days from the issue date of this order as shown below, and until you pay a \$125 release fee and file proof of financial responsibility as shown on the reverse.

TEMPORARY DRIVER LICENSE

This document must be carried with you and shall serve as your temporary California driver license. It is subject to the same class(es) and all restrictions as your permanent driver license. This temporary driver license does not provide you with any driving privileges if you do not have a California driver license or your license is expired, suspended, revoked, canceled or denied. It expires at midnight 30 days from the issue date of this order shown below.

This action is taken under authority of Section 13353, 13353.1, 13353.2 and 13389 of the Vehicle Code (VC) because you were arrested or detained for driving under the influence of alcohol and/or drugs and:

BAC 0.01% PAS, Breath, Blood or Urine Test DUI Probation	You completed a PAS, breath, blood, or urine test and the officer believes the results will show 0.01% BAC or more. If the laboratory results show your BAC was less than 0.01%, this suspension will be set aside. Your driver license will be reissued to you if you do not have another suspension or revocation in effect.
BAC 0.08% Breath, Blood, or Urine Test	You completed a breath test with 0.08% BAC or more, or you completed a blood or urine test and the officer believes the results will show 0.08% BAC or more. If the laboratory results show that your BAC is less than 0.08%, this suspension or revocation will be set aside. Your driver license will be reissued to you if you do not have another suspension or revocation in effect.
BAC 0.04 % Breath, Blood or Urine Test while driving a Commercial Vehicle	You completed a breath test with 0.04% BAC or more, or you completed a blood or urine test and the officer believes the results will show 0.04% BAC or more. If the laboratory results show that your BAC is less than 0.04%, this suspension or revocation will be set aside. Your driver license will be reissued to you if you do not have another suspension or revocation in effect.
Chemical Test Refusal	You refused to submit to, or failed to complete, a chemical test of the alcohol and/or drug content of your blood.

COMMERCIAL DISQUALIFICATION

A commercial disqualification action will be taken due to any of the following: If you refused a chemical test, if you had a 0.04% BAC while operating a commercial motor vehicle as defined in Section 15210 VC or while transporting hazardous materials, or held a commercial driver license and were driving any vehicle when you had a 0.08% BAC.

HEARING INFORMATION

YOU HAVE 10 DAYS FROM RECEIPT OF THIS NOTICE TO REQUEST A HEARING TO SHOW THAT THE SUSPENSION OR REVOCATION IS NOT JUSTIFIED. The suspension or revocation will not be stayed (delayed) unless you request a hearing within 10 days from the issue date of this order and DMV cannot provide a hearing before the effective date of the suspension or revocation and make a determination. Hearings are conducted only to determine questions of fact as described on the reverse. Your need for a license cannot be considered at a hearing. If you want a hearing or have questions regarding this matter, contact the DMV at the telephone number shown above. A telephone hearing will be conducted unless you request an in-person hearing. Before the hearing you may see or obtain copies of the department's evidence. You must request copies of the department's evidence at least 10 days prior to the date set for commencement of the hearing in order to receive them prior to the hearing date. If you want the information released to someone else, give them signed permission. You have the right to have a sign or language interpreter present at your hearing. If you require the service of an interpreter immediately notify DMV of the need for such service. During the hearing you may present oral testimony and/or other evidence. Testimony is taken under oath or affirmation, and the hearing is recorded. You may be represented by legal counsel, or you may represent yourself. The arresting officer(s) may be subpoenaed in this matter, if it is determined that his or her testimony is needed. If you wish to question the arresting officer(s), you have the right to have subpoenas issued on your behalf. You may subpoena any other witness(es) you feel may help your case, and you have the right to cross-examine any opposing witness(es). Blank subpoenas may be obtained on the internet at the following address <http://www.dmv.ca.gov/forms/formsds.htm> or provided to you by the hearing officer upon request prior to the hearing. You are responsible for service of your subpoena(s) and any witness fee required by law. After the hearing the hearing officer shall make findings and render a decision.

OFFICER'S PRINTED NAME [REDACTED]	BADGE NO. [REDACTED]	TELEPHONE NO. ()
AGENCY [REDACTED]	AREA [REDACTED]	COURT CODE (IF UNKNOWN, COURT NAME)

☒ I did ☐ did not personally serve a copy of the Order of Suspension/Revocation to the driver.

ISSUE DATE OF ORDER 05/03/11	SIGNATURE OF ARRESTING OFFICER [REDACTED]
---------------------------------	--

IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:

ISSUE DATE	OFFICER'S PRINTED NAME	BADGE NO.	SIGNATURE OF OFFICER
			X