

CITY OF ATWATER

CLAIM FORM

FORM B

(Please Type or Print)

CLAIM AGAINST City of Atwater & Does 1-100
(Name of Entity)

Claimant's name: King Vivek Vanga

SS#: _____ DOB: _____ Gender: Male Female _____

Claimant's address: 7677 Oakport St. Suite 1120, Oakland, CA 94621

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: 6-25-2021

Date injuries, damages, or losses were discovered: 6-25-2021

Location of incident/accident: Spaceport Entry

What did entity or employee do to cause this loss, damage, or injury? _____

See Attachment A

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? Sergeant Bill

Novetzke, Michael Friedberg, Sam Parks, T. Davis, Does 1-25

What specific injuries, damages, or losses did claimant receive? _____

See Attachment A

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)] _____

EXCESS of \$ 25,000

How was this amount calculated (please itemize)? _____

see Attachment A

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 12/10/21 Signature: [Signature]

If signed by representative:

Representative's Name _____ Address _____

Telephone # _____

Relationship to Claimant _____

ATTACHMENT “A – BODILY INJURY CLAIM”

Claimant objects to your Claim Form because it requires information which constitutes an invasion of the Claimant’s privacy. Moreover, the information is not required to be provided by the Claimant under California Government Code Section 910. For example, California Government Code Section 910 does not require that the Claimants provide their home and work numbers, driver’s license number, date of birth, auto insurance name and policy number, a diagram of the location of the incident, any statements by the Claimant as to their reasons “for believing the City is liable for your damages, “or a description” of all damages which you believe you have incurred as a result of the incident.” For the purposes of this document “CLAIMANT” means the individual claimant and all parties in interest represented by the LAW OFFICES OF JOHN BURRIS. Therefore, Claimant submits the following information in support of his Claim pursuant to Government Code Section 910:

CLAIMANT’S NAME: King Vivek Vanga

ADDRESS TO WHICH ALL NOTICES ARE TO BE SENT: LAW OFFICES OF JOHN L. BURRIS, 7677 Oakport Street, Suite 1120, Oakland, California 94621

CLAIMANT TELEPHONE NUMBER: C/O LAW OFFICES OF JOHN L. BURRIS, ESQ. (510) 839-5200.

PLEASE NOTE: COUNSEL REPRESENTS CLAIMANTS’ AND ALL CONTACT SHOULD BE MADE WITH THEIR ATTORNEY ONLY.

DATE AND TIME OF INCIDENT: June 25, 2021

LOCATION OF INCIDENT: Intersection of Spaceport Entry.

THE FOLLOWING PROVIDES A GENERAL DESCRIPTION OF THE INDEBTEDNESS, OBLIGATION, INJURY, DAMAGES OR LOSS INCURRED SO FAR AS IT MAY BE KNOWN AT THE TIME OF PRESENTATION OF THE CLAIM” AND “THE NAME OR NAMES OF THE PUBLIC EMPLOYEE OR EMPLOYEES CAUSING THE INJURY, DAMAGES, OR LOSS, IF KNOWN: [Per Government Code Section 910]. For the purposes of this claim, “AGENCY’S” is defined by and refers to the municipal, county, or state entity, which governs the Atwater Police Department and California Highway Patrol.

DESCRIPTION OF INCIDENT:

The incident took place on June 25, 2021 at or near the intersection of Spaceport Entry. The incident arose when both Atwater police officers and California Highway Patrol officers came into contact with Mr. Vanga who was driving home after engaging in recreational sports with a friend. On the date of the incident, our client was involved and injured in a fatal accident. However, the issues related to that fatal event are not the subject matter of this claim. Any particular crime alleged to have occurred is being handled in criminal court. Our concern is Mr. Vanga’s contact with law enforcement officers after the accident.

After the accident, Mr. Vanga could be seen walking aimlessly in a daze when he was met by Officer Parks who approached him. Officer Parks commanded Mr. Vanga to sit on the ground. Officer Parks failed to recognize that Mr. Vanga appeared to be disoriented while on his feet and failed to provide Mr. Vanga with immediate medical attention. Instead, officer Sam Parks determined that Mr. Vanga was a threat as opposed to someone in need of medical assistance. After a brief physical exchange with Mr. Vanga, who appeared semi-unconscious on officer body-cam video, Officer Parks called for back-up.

While Officer Parks attempted to restrain Mr. Vanga, Officer Davis approached and without warning, began to tase Mr. Vanga while he was already on the ground. Officer Davis then proceeded to assist other officers as they piled on top of Mr. Vanga to detain him. In addition, Officer Friedberg forcibly grabbed Mr. Vanga's lower legs while other officers were already piled on top of Mr. Vanga. Video footage shows that both Atwater Police officers and California Highway Patrol officers viciously punched, kicked, and kned Mr. Vanga in his face, head, back, arms, and legs. Officer Body Camera footage shows multiple officers punching Mr. Vanga in the head likely exacerbating his head injury from the accident.

Furthermore, California Highway Patrol Officers Bautista and Fuentes prepared a false police report discussing the nature of Mr. Vanga's sobriety. California Highway Patrol Officer Gabriel Bautista aggressively claimed that Mr. Vanga was under the influence in a preliminary report when he stated, "I detected a strong odor of alcoholic beverage emitting from his breathe and person and observed his eyes were red." **See Exhibit A.** Officer Bautista's statement is a blatant lie in that the toxicology report prepared by the California Bureau of Forensic Services did not find any evidence of alcohol or drugs in Mr. Vanga's system on the day of this incident. **See Exhibit B.** Moreover, California Highway Patrol officers have put out multiple articles falsely alleging that Mr. Vanga was under the influence when those statements were untrue and further demonstrates California Highway Patrol officer's willingness to mischaracterize Mr. Vanga's state of sobriety at the time of the accident. **See Exhibit C.** Additionally, Officer Angel Fuentes made false statements in his police report as well as to the media alleging that he noticed Mr. Vanga was intoxicated because he smelled alcohol on his person and breathe. Officer Parks also made a false statement to other officers saying that Mr. Vanga attempted to grab his gun in an apparent attempt to make this incident a criminal matter when it looks like an accident. Mr. Vanga did incur physical injuries from the officers' physical assaults, and aside from the emotional trauma related to the accident, he also suffered extreme emotional and psychological trauma from the false statements made by Officers Bautista, Fuentes, and Parks. Additionally, Officer Fuentes used the false statements about Mr. Vanga being under the influence to first seek an outcome of no bail hold and later to cause the bail to be raised from \$250,000 to \$400,000.

DAMAGES

As a result of both Atwater Police Officers and California Highway Patrol Officers inability to provide medical assistance to Mr. Vanga, he suffered injuries to his face, back, arms, and legs. Mr. Vanga did not pose a threat of serious injury or harm to any of the officers in this incident. It is apparent from officer's video footage that Mr. Vanga needed medical assistance as opposed to being detained. Thus, the violent assault on Mr. Vanga constituted excessive, unreasonable, unlawful and unnecessary force against him by all named Atwater Police Officers

and California Highway Patrol officers, and DOES 1-100. Additionally, Mr. Vanga continues to suffer from emotional and psychological despair related to the false statements made by Officer Bautista and Fuentes concerning his sobriety.

DESCRIPTION OF CLAIM:

Claimant alleges that the conduct of individual employees, agents, and/or servants of CITY OF ATWATER & CALIFORNIA HIGHWAY PATROL constitute State statutory violations, which might include but are not limited to assault, battery, negligence, negligent hiring, and intentional infliction of emotional distress.

Claimant alleges those individual employees, agents and/or servants of CITY OF ATWATER & CALIFORNIA HIGHWAY PATROL are responsible for Claimant's injuries, and acts and/or omissions committed within the course or scope of employment under the theory of respondeat superior. Respondeat superior liability includes but is not limited to, negligent training, supervision, control and/or discipline.

Individual employees, agents, and/or servants of the CITY OF ATWATER & CALIFORNIA HIGHWAY PATROL, include but are not limited to, the chief of police, sheriff, or an individual of comparable title, in charge of law enforcement for CITY OF ATWATER, CALIFORNIA HIGHWAY PATROL and ANGEL FUENTES, GABRIEL BAUTISTA, SAM PARKS, MICHEAL FRIEDBERG, BILL NOVETZKE, OFFICER T. DAVIS, OFFICER A. CALDERON, DOES 1-100, and/or each of them, individually and/or while acting in concert with one another.

Claimant alleges the appropriate offenses listed below.

Claimant alleges that assault included, but was not limited to, conduct causing claimant to reasonably fear a harmful offensive touching upon claimant's person.

Claimant alleges that battery included, but not limited to, conduct resulting in a harmful offensive touching upon claimant's person in a manner foreseeable and likely to cause injury.

Claimant alleges that negligence included, but was not limited to, breach of duty upon failing to exercise due care by placing decedent at risk of serious physical injury.

Claimant alleges that negligent hiring included, but was not limited to, breach of duty upon failing to exercise due care by hiring individuals likely to cause physical injury to citizens while acting under color of law in an official capacity.

Claimant alleges that intentional infliction of emotional distress included, but not limited to, outrageous acts or omissions with the intent to cause emotional distress to another individual. The intentional conduct resulted in claimant's physical injuries.

Claimant alleges that Slander/Defamation included, but is not limited to, damages to claimant's reputation with intent to prevent his release on bail and to defame and slander claimant in the media and his community.

Claimant alleges violation of California Civil Code Section 52.1 for actions by law enforcement personnel, whether or not acting under color of law, which interfere by threats, intimidation, or coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by any individual or individuals of rights secured by the Constitution or laws of the United States, or of the rights secured by the Constitution or laws of this state.

Claimant intends to pursue civil penalties pursuant to California Civil Code Sections 52(a) and 52(b).

Claimant intends to pursue Monell violations for the City's unconstitutional policies and practices that led to this unlawful incident.

Claimant will allege a lack of training, supervision and accountability.

Claimant will allege other causes of action subject to continuing discovery.

DESCRIBE INJURY OR DAMAGE:

Claimant has, or may have in the future, claims for general damages, including, but not limited to, claims for pain, suffering and emotional distress in amounts to be determined according to proof.

Claimant may have and/or may continue to have in the future, claims for special damages, including, but not limited to, claims for medical and related expenses, lost wages, damage to career, damage to educational pursuits, damage to representation, damage to property and/or other special damages in amounts to be determined according to proof.

Claimant may have, and/or may continue to have in the future, damages for permanent mental injuries, permanent mental scarring and/or other psychological disabilities in an amount according to proof.

NAME OF PUBLIC EMPLOYEE(S) BELIEVED TO HAVE CAUSED INJURY OR DAMAGE:

Atwater Police Department:

SERGEANT BILL NOVETZKE, OFFICER MICHAEL FRIEDBERG, OFFICER SAM PARKS, OFFICER T. DAVIS, and DOES 1-100.

California Highway Patrol:

OFFICER FUENTES, OFFICER GABRIEL BAUTISTA, OFFICER A. CALDERON, and DOES 1-100.

DEMAND FOR PRESERVATION OF EVIDENCE:

Claimant does hereby demand that CITY OF ATWATER & CALIFORNIA HIGHWAY PATROL maintain and preserve any and all evidence, documents and tangible materials which relate in any manner whatsoever to the subject matter of this Claim, including until the completion of any and all civil and/or criminal litigation arising from the events which are the subject matter of this Claim. This demand for preservation of evidence includes, but is not limited to, a demand that all public safety entities preserve all tapes, logs and/or other tangible materials of any kind until the completion of any and all civil and criminal litigation arising from the subject matter of this claim.

AMOUNT OF CLAIM:

This claim is in excess of \$25,000. Jurisdiction is designated as “unlimited” and jurisdiction would be in the United States District Court and/or Superior Court of the State of California.

DATED: December 10, 2021

Sincerely,



John L. Burris
Christopher A. Dean
Attorneys for Claimant
Law Offices of John L. Burris

December 10, 2021

City Clerk's Office
City of Atwater
750 Bellevue Road
Atwater, CA 95301

RE: Request for Endorsed Copy Verifying Administrative Claim Received – Law Offices of John L. Burris

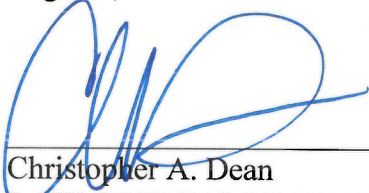
Our client: King Vivek Vanga

Dear City Clerk,

This is to inform you that the Law Offices of John L. Burris represents the above-mentioned Claimant in this matter.

We have attached a copy of a completed claim form, which includes a detailed addendum and exhibits. We have sent you two copies of the form. We request that you send us back one endorsed copy verifying the time and date that our claim was received. We have enclosed a self-addressed stamped envelope for your convenience. If you have any questions please, contact us immediately.

Regards,



Christopher A. Dean

LAW OFFICES OF JOHN L. BURRIS

CERTIFICATE OF SERVICE
(King Vanga v. City of Atwater, et al.)

STATE OF CALIFORNIA, COUNTY OF ALAMEDA:

I am a citizen of the United States and employed in the county aforesaid; I am over the age of eighteen years, and not a party to the within action; My business address is 7677 Oakport Street, Suite 1120, Oakland, California 94621. On the date below, I served on the named parties and / or counsel of record: December 10, 2021.

City Clerk's Office City of Atwater 750 Bellevue Road Atwater, CA 95301	City on Notice
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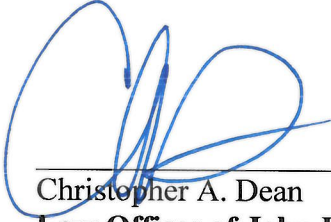
The following documents in the manner checked below:

TWO COPIES OF ADMINISTRATIVE CLAIM AND COVER LETTER

- (VIA MAIL – CCP §§ 1013(a), 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am readily familiar with my firm's business practice of collection and processing of correspondence for mailing with the U.S. Postal Service at Oakland, California, with postage thereon fully prepaid, that same day in the ordinary course of business.
- (VIA PERSONAL DELIVERY – CCP §§ 1011, 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and causing each envelope(s) to be hand delivered on that day by _____, in the ordinary course of my firm's business practice.
- (VIA E-MAIL OR ELECTRONIC TRANSMISSION – CCP §§ 1013(e), 2015.5, CRC 2008)** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document to be sent to the persons at the e-mail address(es) or the facsimile number listed above. I am readily familiar with my firm's business practice of collection and processing of correspondence via facsimile transmission(s) and any such correspondence would be transmitted in the ordinary course of business. The facsimile transmission(s) was reported as complete and without error, and a copy of the transmission report is attached.
- (VIA OVERNIGHT MAIL/ COURIER – CCP §§ 1013(c), 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and placing each for collection by overnight mail service or overnight courier service. I am familiar with my firm's business practice of collection and processing of correspondence for overnight mail or overnight courier service, and my correspondence placed for collection for overnight delivery would, in the ordinary course of business, be delivered to an authorized courier or driver authorized by the overnight mail carrier to receive

documents, with delivery fees paid or provided for, that same day, for delivery on the following business day.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on December 10, 2021 in Oakland, California.



Christopher A. Dean
Law Offices of John L. Burris

EXHIBIT A

VANGA, KING VIVEK

NARRATIVE/SUPPLEMENTAL

INCIDENT DATE 06/25/2021	INCIDENT TIME 2236	NCIC NUMBER 9460	OFFICER ID 20156	NUMBER 21-460-0702
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CASE IDENTIFICATION:

36.
37.

38. **Case Number:**
39. 21-460-0702

PRELIMINARY REPORT

40.
41. **Suspect:**

42. King Vivek Vanga
43. 12/28/2000
44. 1912 Faxon Drive
45. Atwater, CA 95301

46.
47. **Victim:**

48. Pamela Juarez
49. 02/25/1965
50. 3862 De Paul Court
51. Merced, CA 95348
52. (Coroner case # 21-27791)

53. **Victim:**

54. Jose Luis Juarez
55. 09/13/1963
56. 3862 De Paul Court
57. Merced, CA 95348
58. (Coroner case # 21-27792)

59.
60. **Charges:**

- 61. 1. 23153(a) VC - DUI with injury or death.
- 62. 2. 23153(b) VC - 0.08% BAC or greater.
- 63. 3. 23153(g) VC - DUI involving a drug/alcohol.
- 64. 4. 192(c)(1) PC - Vehicular manslaughter (Pamela Juarez).
- 65. 5. 192(c)(1) PC - Vehicular manslaughter (Jose Luis Juarez).

66.
67.
68.
69.
70.

PREPARER'S NAME A. FUENTES	ID NUMBER 20156	DATE	REVIEWER'S NAME
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VANGA, KING VIVEK

PRELIMINARY REPORT

NARRATIVE/SUPPLEMENTAL

INCIDENT DATE 06/25/2021	INCIDENT TIME 2236	NCIC NUMBER 9460	OFFICER ID 20156	NUMBER 21-460-0702
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386.

387.

ANALYSIS AND OPINIONS:

388.

389. Vanga drove while under the influence of an alcoholic beverage. While in this condition, Vanga allowed
 390. and caused the front of his vehicle to collide with the rear of another vehicle. Both the driver and
 391. passenger of the other vehicle sustained fatal injuries as a result of this collision. This is a violation of
 392. CVC Section 23153(a).

393.

394. CVC 23153(a) states, "It is unlawful for a person, while under the influence of any alcoholic beverage to
 395. drive a vehicle and concurrently do any act forbidden by law, or neglect any duty imposed by law in
 396. driving the vehicle, which act or neglect proximately causes bodily injury to any person other than the
 397. driver."

398.

399. Vanga drove with a blood alcohol content (BAC) over 0.08%. While in in this condition, Vanga allowed
 400. and caused the front of his vehicle to collide with the rear of another vehicle. Both the driver and
 401. passenger of the other vehicle sustained fatal injuries as a result of this collision. This is a violation of
 402. CVC Section 23153(b).

403.

404. CVC 23153(b) states, "It is unlawful for a person, while having 0.08 percent or more, by weight, of
 405. alcohol in his or her blood to drive a vehicle and concurrently do any act forbidden by law, or neglect any
 406. duty imposed by law in driving, which act or neglect proximately causes bodily injury to any person other
 407. than the driver."

408.

409. Vanga drove while under the influence of a drug and alcohol. While in this condition, Vanga allowed and
 410. caused the front of his vehicle to collide with the rear of another vehicle. Both the driver and passenger
 411. of the other vehicle sustained fatal injuries as a result of this collision. This is a violation of CVC Section
 412. 23153(g).

413.

414. CVC 23153(g) states, "It is unlawful for a person, while under the combined influence of any alcoholic
 415. beverage and drug, to drive a vehicle and concurrently do any act forbidden by law, or neglect any duty
 416. imposed by law in driving the vehicle, which act or neglect proximately causes bodily injury to any
 417. person other than the driver."

418.

419.

420.

PREPARER'S NAME A. FUENTES	ID NUMBER 20156	DATE	REVIEWER'S NAME
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PRELIMINARY REPORT

Name (Last, First, Middle)

VANGA, KING VIVEK

1. LOCATION	4. NOTIFICATION INTERVIEW	7. PSYCHOPHYSICAL	10. STATEMENTS
2. WITNESS	5. INITIAL OBSERVATION	8. CLINICAL INDICATORS	11. DRE'S OPINION
3. BAC	6. MEDICAL PROBLEMS	9. SIGNS OF INGESTION	12. TOXICOLOGICAL
			13. MISCELLANEOUS

Drug Recognition Evaluation (DRE) Report/Narrative

Location:

The DRE evaluation was conducted at Mercy Medical Center in Merced.

Witness:

California Highway Patrol Officer A. Calderon, #21530.

BAC:

The subject did not complete a PAS sample.

Notification Interview:

On June 25, 2021, at approximately 2143 hours, Officer A. Calderon, ID 21530, and I responded to report of a vehicle fully engulfed in flames on Santa Fe Drive at Spaceport Entry. As we responded, Merced Communication Center (MCC) advised Atwater Police Department Officers were on scene, involved in a physical altercation with the subject (use of force), and had detained the subject (later identified as Vanga). This was not a vehicle fire as reported, it was determined to be a two-vehicle traffic collision. In addition, Merced County Sheriff's Office (MCSO) Deputies were on scene and advised the occupants in the fully engulfed vehicle were pronounced deceased. Officer A. Fuentes, ID 20156, arrived on scene and contacted the party in the back of an Ambulance while he was being treated for his injuries. Officer Fuentes was unable to administer any Field Sobriety Test due to his sustained injuries. Officer Fuentes observed signs and symptoms of alcohol/drug impairment and placed the subject under arrest for violation of 23153(a) VC, 192(c)(1) PC. Officer Fuentes informed me the following information: the subject was the proximate cause of a fatal traffic collision, he detected a strong odor of an alcoholic beverage emitting from his breath and person, displayed bruxism, had an elevated pulse, was fidgety, and his attention was constantly divided. Officer Fuentes requested I remained with the subject on scene, follow the ambulance to the hospital in the patrol vehicle, and attempt to conduct a DRE evaluation on the subject while at the Hospital.

Initial Observation:

Upon contacting the subject in the back of the ambulance, I observed bruxism. The subject was also fidgety. I detected a strong odor of an alcoholic beverage emitting from his person. In addition, I observed the subject was placed on monitors in the back of the ambulance which measured his pulse and blood pressure. I observed the subject's pulse was elevated at 171 bpm and his blood pressure was at 141/80. The subject's eyes were red and watery. The subject was transported by ambulance to Mercy Medical Center in Merced and I followed the ambulance to the hospital in a patrol vehicle. While at the hospital, I re-contacted the subject. I detected a strong odor of alcoholic beverage emitting from his breath and person and observed his eyes were red.

Medical Problems:

The subject refused to answer any questions and related he wanted to speak with his lawyer.

Psychophysical:

No FST's were administered due to the injuries the subject sustained.

CONTINUED

Examining Officer
Gabriel Bautista

ID Number
021150

Division or Area
460

This examining officer is a trained DRE expert on the effects of driving under the influence of drugs.

PRELIMINARY REPORT

Name (Last, First, Middle)

VANGA, KING VIVEK

1. LOCATION	4. NOTIFICATION INTERVIEW	7. PSYCHOPHYSICAL	10. STATEMENTS
2. WITNESS	5. INITIAL OBSERVATION	8. CLINICAL INDICATORS	11. DRE'S OPINION
3. BAC	6. MEDICAL PROBLEMS	9. SIGNS OF INGESTION	12. TOXICOLOGICAL
			13. MISCELLANEOUS

Drug Recognition Evaluation (DRE) Report/Narrative

Clinical Indicators:

The subject's pulse was elevated, dilated pupils.

Signs Of Ingestion:

I was unable to observe any signs of ingestion due to the injuries the subject sustained. In addition, the subject was soiled in blood.

Statements:

The subject did not make any statements and requested he wanted to speak with his lawyer.

DRE's Opinion:

Based on the fact that the subject was the proximately cause in a traffic collision resulting in two deceased parties, the subject's signs and symptoms of alcohol and drug impairment, Officer Fuentes observation of the subject on scene, my observations of the subject on scene, and my training as a DRE, it is my opinion the subject is under the combined influence of a Alcohol and Central Nervous System (CNS) Stimulant.

Toxicological:

The subject initially refused to provide a blood sample when we arrived at the hospital. At approximately 0125 hours, the subject related he would provide a blood sample. At approximately 0135 hours, the subject provided a blood sample.

Miscellaneous:

While at the hospital, the subject was speaking with hospital staff. The subject related he took anxiety medication earlier that day. While I spoke with the subject, I looked at his eyes and observed the reaction to light was slow and the subject's pupils were dilated. While at the hospital, the subject was placed on monitors. At approximately 0128 hours, I observed the subject's pulse was elevated at 128 bmp.

CONTINUED

Examining Officer

Gabriel Bautista

ID Number

021150

Division or Area

460

This examining officer is a trained DRE expert on the effects of driving under the influence of drugs.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED, STATE OF CALIFORNIA

June 26, 2021

File No.: 21-460-0702

THE PEOPLE OF THE STATE OF CALIFORNIA
VS.

Defendant: King Vivek Vanga

X-Ref No:

AKAs:

LAW ENFORCEMENT AGENCY
California Highway Patrol (MERCED)
REPORT NO. 9460-2021-10269

CHARGES: 23152(g) VC, 23152(b) VC, 192(c)(1) PC,
192(c)(1) PC, 148(d) PC, 148(a)(1) PC,
243(b) PC

REQUEST FOR BAIL INCREASE ABOVE
EMERGENCY BAIL SCHEDULE
(P.C. 1269c)

Officer A. Fuentes ID 20156, a peace officer employed by the *Merced California Highway Patrol* (Agency), hereby make this application for the setting of a higher bail in the above-entitled matter, or in the alternative an order denying bail and setting the amount at **NO BAIL**.

He has arrested *King Vivek Vanga* without a warrant, in the County of *Merced* for the crime of *Vehicle Manslaughter with Gross Negligence (two counts)*. Pursuant to the June 20, 2020, Judicial Council of California's Emergency Bail Schedule, the presumptive amount of bail in this case is \$120,000.00.

For the reasons set forth below, pursuant to Rule 4(d) of the Emergency Bail Schedule, and pursuant to California Constitution Article I sections 12 and 28(f)(3), I have reasonable cause to believe that given the seriousness of the charged offense(s) and/or the previous criminal record of the defendant, the amount of bail for the offense charged is insufficient to ensure protection of the public, the safety of the victim(s), and/or the probability that the defendant will appear at trial or the hearing of the case. The facts and circumstances in support of my belief are as follows:

The arrestee was arrested for causing a collision while under the influence of a drug and alcohol that resulted in the deaths of two involved parties. While the arrestee was in custody at Mercy Medical Center, on June 26, 2021, getting medically cleared for booking, Officer Calderon ID 21530 spoke to the arrestee. The arrestee boasted of his father being a pharmacist who has been able to easily afford putting the arrestee through a Stanford University education. The arrestee stated that he has multiple connections to the country of India and frequents the country with his family. He often visits his family that resides there. He alluded to the fact that he would be bailed out immediately with the aid of his family, due to his family's financial success, and that he could easily stay with family that resides in India and therefore potentially evade court proceedings.

See Attached for Probable Cause Details

I declare under the penalty of perjury that the foregoing is true and correct.

Print: CHRISTIAN EDWARDS

Dated: June 26, 2021

Signature: *Christian Edwards*

County of: Merced

Agency: CHP Merced Badge: 20365

DETERMINATION BY MAGISTRATE (PC 1269c):

Additional Terms and Conditions:

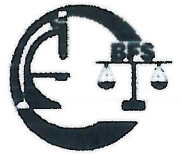
Bail to remain per schedule: \$

Bail to reset in the amount of: \$ \$250,000.00

Dated: 06/26/21

Magistrate: *D. J. Smith*

EXHIBIT B



PHYSICAL EVIDENCE EXAMINATION REPORT

Forensic Alcohol Analysis

TO : Officer Angel Fuentes
California Highway Patrol, Merced

CASE NUMBER: 214600702
RECEIVED: 7/28/2021
ITEM NUMBER: 01_01

BFS Case Number: CV-21-005327-0001
Subject: KING VENGA
License Number: Y4820261(CA)
Offense Date: 6/26/2021
Start of Testing: 8/2/2021
End of Testing: 8/3/2021
Report Date: 8/3/2021
Testing Method: TP-23

ANAB Certificate FT-0334

SUMMARY

The blood sample (Item 01_01) of the above listed individual was analyzed on 08/03/21 and contained 0.000% (W/V) alcohol.

DISPOSITION

When the result of the alcohol analysis is less than 0.090%, the case evidence will be forwarded to the BFS Toxicology Laboratory, unless otherwise directed by the submitting law enforcement agency. BFS will retain all felony case evidence for a minimum of one year after which it will be returned to the submitting agency. All misdemeanor case evidence will be retained by BFS for a minimum of 12 months after which it will be destroyed, unless BFS receives written notification from the agency to return the case evidence.

ABBY O'ROURKE
Senior Criminalist

The signatory hereof declares under penalty of perjury (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services (BFS). (2) I am qualified to engage in forensic alcohol analysis pursuant to section 1216.1 of Title 17 of the California Code of Regulations. I conducted an examination of the material described above in the ordinary course of my work according to approved laboratory procedures. (3) The recording of the analytical results was done at the same time the analysis was performed and included creation of contemporaneous documentation. (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record.
Note: All results relate only to the items that were tested and apply to the items as they were received except when otherwise indicated. This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice is accredited by the ANSI National Accreditation Board (ANAB) in the testing activities provided unless otherwise noted.



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PHYSICAL EVIDENCE EXAMINATION REPORT

Toxicology

TO : DOJ Toxicology Report Recipient California Highway Patrol, Merced	BFS Case Number: CV-21-005327-0002
CASE NUMBER: 214600702	Subjects: KING VANGA
RECEIVED: 7/28/2021	License Number: Y4820261(CA)
ITEM NUMBER: 01_01	Offense Date: 6/26/2021
	Start of Testing: 8/12/2021
	End of Testing: 10/15/2021
	Report Date: 10/15/2021

ANAB Certificate FT-0334

SCREENS PERFORMED

The following are the presumptive immunoassays (IA) performed for the blood sample from the above listed subject.

Benzodiazepines	Carisoprodol	Cocaine	Tetrahydrocannabinols
Methamphetamine	Opiates	Oxycodone	Zolpidem

CONFIRMATION RESULTS

Analysis of the blood sample from the above listed subject by gas chromatography/mass spectrometry (GC/MS) produced the following results

Compound	Concentration
Lidocaine	No Quant Determined

DISPOSITION

Samples for misdemeanor driving and contract cases will be retained in the Toxicology Laboratory for one year and then destroyed unless other arrangements have been made. Samples from felony driving offenses are retained for one year and then returned to the submitting laboratory. The samples from non-driving felony cases will be returned to the submitting laboratory/agency.

ERIC LEE
Criminalist

The signatory analyst declares under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services (BFS); (2) I conducted an examination of the material described above in the ordinary course of my work as a qualified examiner according to approved laboratory procedures; (3) The recording of the analytical results was done at the time the analysis was performed and included creation of contemporaneous documentation; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record.
Note: All results relate only to the items that were tested and apply to the items as they were received, except when otherwise indicated. This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice is accredited by the ANSI National Accreditation Board (ANAB) in the testing activities provided unless otherwise noted.



This report shall not be reproduced, except in full, without written approval from the laboratory.

ADDITIONAL INFORMATION

The subject's last name on the envelope, "Venga", differs from the subject's last name on the sample, "Vanga".

A supplemental report will follow.

The results listed in this report may reflect the analyses performed by multiple analysts.

The Bureau of Forensic Services Toxicology Laboratory no longer offers confirmatory analysis of gamma-hydroxybutyric acid (GHB).



PHYSICAL EVIDENCE EXAMINATION REPORT

Toxicology Confirmation Request

TO : DOJ Toxicology Report Recipient California Highway Patrol, Merced	BFS Case Number: CV-21-005327-0003
CASE NUMBER: 214600702	Subjects: KING VANGA
RECEIVED: 7/28/2021	License Number: Y4820261(CA)
ITEM NUMBER: 01_01	Offense Date: 6/26/2021
	Start of Testing: 8/12/2021
	End of Testing: 10/15/2021
	Report Date: 10/18/2021

ANAB Certificate FT-0334

CONFIRMATION RESULTS

Analysis of the blood sample from the above listed subject by liquid chromatography-tandem mass spectrometry (LC-MS/MS) produced the following results

<i>Compound</i>	<i>Concentration</i>
No reportable drugs detected	No Quant Determined

DISPOSITION

Samples for misdemeanor driving and contract cases will be retained in the Toxicology Laboratory for one year and then destroyed unless other arrangements have been made. Samples from felony driving offenses are retained for one year and then returned to the submitting laboratory. The samples from non-driving felony cases will be returned to the submitting laboratory/agency.

Cathralynn Cook

CATHRALYNN COOK
Senior Criminalist

The signatory analyst declares under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services (BFS); (2) I conducted an examination of the material described above in the ordinary course of my work as a qualified examiner according to approved laboratory procedures; (3) The recording of the analytical results was done at the time the analysis was performed and included creation of contemporaneous documentation; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record.
Note: All results relate only to the items that were tested and apply to the items as they were received, except when otherwise indicated. This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice is accredited by the ANSI National Accreditation Board (ANAB) in the testing activities provided unless otherwise noted.



This report shall not be reproduced, except in full, without written approval from the laboratory.

ADDITIONAL INFORMATION

The subject's last name on the envelope, "Venga", differs from the subject's last name on the sample, "Vanga".

This is a supplemental report to CV-21-005327-0002. Please refer to that report for additional test results.

The results listed in this report may reflect the analyses performed by multiple analysts.

The Bureau of Forensic Services Toxicology Laboratory no longer offers confirmatory analysis of gamma-hydroxybutyric acid (GHB).

EXHIBIT C

ACCIDENT NEWS

JM Johnson (<https://californiainjuryaccidentlawyer.com/author/irish/>) -
🕒 06/28/2021 (<https://californiainjuryaccidentlawyer.com/2021/06/28/>)

King Vanga Arrested DUI Crash Atwater Santa Fe Drive Spaceport Entry

Home (<https://californiainjuryaccidentlawyer.com>) > Catastrophic Injury
(<https://californiainjuryaccidentlawyer.com/catastrophic-blog/>) > King Vanga Arrested DUI
Crash Atwater Santa Fe Drive Spaceport Entry



*King Vanga DUI crash
Atwater*

King Vanga, 20, Kills Man and Woman in Atwater DUI Crash

ATWATER, CA (June 26, 2021) – Authorities detained King Vanga after a fatal DUI crash near Santa Fe Drive and Spaceport Entry in Atwater.

The California Highway Patrol said the 20-year-old Atwater man was under the influence when the wreck occurred Friday night.

The incident began when **King Vanga** was driving a 2012 Lexus ES350 west on Santa Fe Drive in Atwater. At the same time, a 2012 Honda was traveling in the same direction.

CHP said his Lexus then slammed into the rear of the Honda near Spaceport Entry. In the process, the Honda spun out of control in the eastbound lanes and ultimately caught fire.

Car Crash Near Santa Fe Drive and Spaceport Entry

The Lexus swerved northwest, plowed into a chain-link fence and rolled over. [The Merced Sun Star](https://www.mercedsunstar.com/news/local/article252385493.html) (<https://www.mercedsunstar.com/news/local/article252385493.html>) and [Merced GW News](http://www.mercedgwnews.com/man-arrested-after-collision-in-atwater-that-left-two-people-dead-friday-night/) (<http://www.mercedgwnews.com/man-arrested-after-collision-in-atwater-that-left-two-people-dead-friday-night/>) wrote that the accident took place on June 25 at about 9:43 p.m.

Firefighters along with the paramedics and police pronounced the two occupants dead at the scene. CHP described the 25-year-old female driver as a 56-year-old male passenger, both of Merced.

The names of the deceased victims have not been released pending notification of next of kin. Meanwhile, King Vanga sustained moderate injuries as a result of the crash.

CHP arrested and soon booked him into the Merced County Jail on suspicion of felony DUI and vehicle manslaughter. The fatal Atwater crash is still under investigation.

Anyone with information can call the Merced CHP Office at 209-356-6600.

“Johnson Attorneys Group does not represent any of the parties mentioned above; nor is it our intent to represent any of the parties. If you would like to contribute to this story, please [contact](https://californiainjuryaccidentlawyer.com/contact/) us.”



JM Johnson

(<https://californiainjuryaccidentlawyer.com/author/irish/>)

Personal Injury Attorney at **Johnson Attorneys Group**

(<https://accidentinjur.wpengine.com>)

(<https://californiainjuryaccidentlawyer.com/author/irish/>)

James Johnson is passionate about educating the public about the myriad of individuals who are not following the rules of the road. His hope is to bring public awareness in order to change the laws to better protect our communities.

Notice: The information in this article was obtained from a variety of sources including websites and press releases by law enforcement, county coroner offices, fire departments, and news reports. Johnson Attorneys Group provides this information to the general public to help keep the community informed about incidents happening in and around your community, but this information may not always be completely accurate. For full details about a given incident you should refer to an official police report.

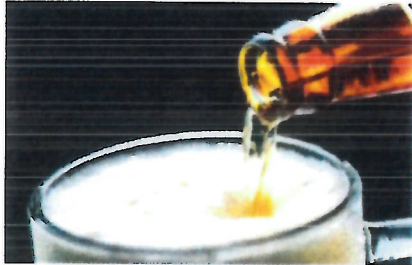
These articles often involve wrongful death incidents. The loss of a loved one is not only difficult; it can be financially devastating on surviving family members. If you have lost a family member due to a negligent act, you may have the right to file a claim against the responsible party. This is a personal decision and while our office handles these types of losses, you may or may not require the assistance of an attorney.

Johnson Attorneys Group has offices throughout California and can answer any legal questions you may have with no obligation. Our law firm provides a free confidential consultation to victims and their families.

Full disclaimer is found below.

PAMELA AND JOSE JUAREZ KILLED IN SANTA FE DRIVE DUI CRASH [ATWATER, CA]

By [Jhanna Mri](#) June 27, 2021



Pamela and Jose Juarez Killed in Santa Fe Drive DUI Crash [Atwater, CA]

Husband and Wife Killed, King Vanga Arrested for DUI in Atwater Crash

Atwater, CA (June 27, 2021)- On Friday, Pamela and Jose Juarez, both from Merced, died, while police arrested 20-year-old **King Vanga**, of Atwater, in Santa Fe Drive DUI crash.

The accident happened at the intersection of Spaceport Entry.

Apparently, the woman was westbound in a 2012 Honda when her vehicle was rear-ended by a 2012 Lexus ES350, driven by Vanga.

The crash made the Honda to spin out in the eastbound lanes and the vehicle became engulfed in fire. The woman and her passenger were trapped in the vehicle.

The authorities pronounced the driver and passenger dead at the scene. Their identities have not been released, pending notification of next-of-kin.

On the other hand, the Lexus to drifted northwest. Then, it crashed into a chain-link fence and overturned.

Vanga incurred moderate injuries.

Meanwhile, officers said Vanga was under the influence of alcohol and/or drugs during the accident. They booked him in the Merced County Jail on suspicion of felony DUI and vehicle manslaughter.

We at Sweet Lawyers extend our deepest sympathies to the family and friends of the two deceased. Our thoughts are with you during this difficult time.

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are granted the highest restitution possible," says [Mark Sweet](#) of [Sweet Lawyers](#).

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[WILLIAM LEHR INJURED, JAMES MATHEWS ARRESTED IN CRASH ON STATE ROUTE 125 \[COLLEGE PLACE, WA\]](#)

By Sweet Law Group December 2, 2021

1 Hospitalized in Collage Place Accident on State Route 125 and College Avenue COLLEGE PLACE, WA (December 2, 2021) – Monday afternoon, William Lehr sustained injuries following a vehicle crash on State Route 125. According to

[WOMAN INJURED IN PEDESTRIAN CRASH ON GAS POINT ROAD \[SHASTA COUNTY, CA\]](#)

By Sweet Law Group December 2

1 Hospitalized in Shasta County Pedestrian Crash on Gas Point Road SHASTA COUNTY, CA (December 2, 2021) – Wednesday afternoon, a woman sustained injuries in a pedestrian crash on Gas Point Road. According to the

[REPORT CRASH](#)



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ACCIDENT NEWS

Two Killed, King Vanga Arrested in DUI Accident near Santa Fe Drive [Atwater, CA]



Two Killed, King Vanga Arrested in DUI Accident near Santa Fe Drive [Atwater, CA]

Driver and Passenger Dead after DUI Motorist Struck their Car in Atwater, King Vanga Arrested

ATWATER, CA (June 27, 2021) – Two people died and **King Vanga** was arrested in a fiery DUI crash late Friday evening near Santa Fe Drive and Spaceport Entry.

The accident happened just before 10:00 p.m. on June 25, just across the street from the Castle Air Force Base. According to the [California Highway Patrol](#), the 20-year-old suspect from Atwater was driving a 2012 Lexus ES350 at a high rate of speed when he rear-ended a 2012 Honda.

The impact caused the Honda to spin out in the eastbound lanes and burst into flames.



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Meanwhile, the Lexus veered northwest, crashed into a chain-link fence and overturned. Vanga suffered moderate injuries.

CHP officers determined that Vanga was under the influence of alcohol and/or drugs at the time of the crash. They arrested and booked him in the Merced County Jail on suspicion of felony DUI and vehicle manslaughter.

Our deepest condolences to the families and friends of the victims.

If you have lost a family member in a fiery car accident caused by DUI driver, contact the Law Offices of Daniel Kim to handle your case. Each of our clients receives personal legal advice tailored to his or her specific case. Our team will personally work with police reports, insurance claims, medical bills, doctor's appointments, and much more. We have a 99% success rate so you can be assured that your **wrongful death** case are in good hands. Call us today at **(800) 895-7199** for a free consultation. You can also request a copy of the police report for your reference. With a success rate of over 99%, you can trust your lawsuit with our team.

The image shows a map with several locations marked. A red location pin is placed on 'Merced County Animal Control'. A blue location pin is placed on 'Big Creek Lumber'. Other labeled streets include Spacecraft Dr, Spaceport Entry, Shuttle Dr, Sports Dr, Santa Fe Dr, and 10th St. A 'View larger map' link is in the top left. At the bottom, there is a 'Free Consultation' button with the phone number '(800) 895-7199' and a 'Live Chat 24/7' button with the text 'START NOW'.



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LOCAL

Two people killed in suspected DUI crash off Santa Fe Drive in Atwater, says CHP

BY SHAWN JANSEN

UPDATED JUNE 26, 2021 10:00 AM



Merced Sun-Star file photo. THADDEUS MILLER TMILLER@MERCEDSUNSTAR.COM

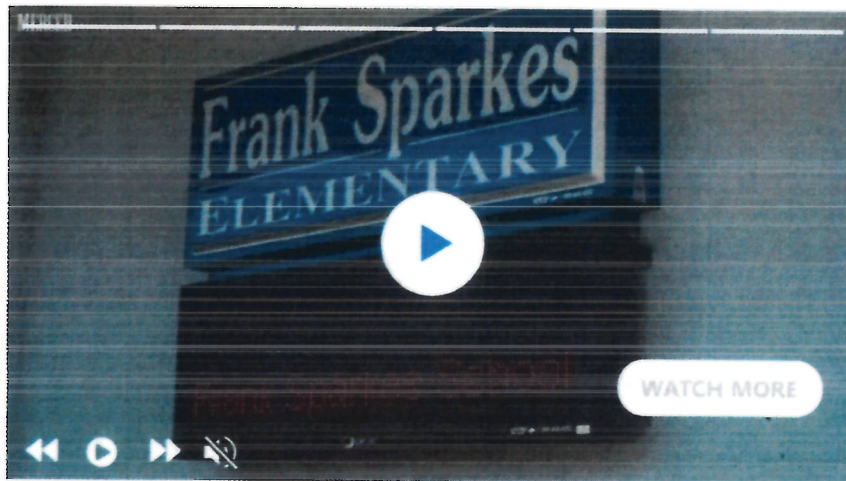
Close Ad

Two people are dead after a suspected DUI crash reported late Friday evening off Santa Fe Drive and Spaceport Entry near Atwater, according to the California Highway Patrol.

A 2012 Honda driven by a 56-year old woman from Merced was traveling westbound on Santa Fe Drive when it was rear ended by a 2012 Lexus ES350, driven by a King Vanga, 20, of Atwater, according to CHP Officer Eric Zuniga.

The collision caused the Honda to spin out in the eastbound lanes and the vehicle became engulfed in flames. The Honda driver and her 56-year old male passenger from Merced had been trapped in the vehicle.

TOP VIDEOS



[Gov. Newsom visits Winton vaccine clinic, encourages vaccinations](#)

Law enforcement pronounced the driver and passenger dead at the scene. Their names have not been released, pending notification of family or next-of-kin.

The collision caused the Lexus to veer northwest, crash into a chain-link fence and overturn. Vanga suffered moderate injuries.

CHP officers determined that Vanga was under the influence of alcohol and/or drugs at the time of the collision. Vanga was arrested and booked in the Merced County Jail on suspicion of felony DUI and vehicle manslaughter.

Close Ad